

AMENDED IN ASSEMBLY JULY 11, 2002
AMENDED IN ASSEMBLY JUNE 13, 2002
AMENDED IN ASSEMBLY MAY 29, 2002
AMENDED IN SENATE JANUARY 7, 2002
AMENDED IN SENATE APRIL 2, 2001

SENATE BILL

No. 1019

Introduced by Senator Torlakson

February 23, 2001

An act to amend Section 5499.4 of the Business and Professions Code, to amend Sections 1253.5, 1258, 5019, 5303, 5324, 5325, 5380, 5421, 15148, 15359.1, 19420, and 35001 of the Education Code, to amend Sections 307, 308, 8040, 9094, 10500, 10540, 11002, and 18546 of, and to repeal Section 311 of, the Elections Code, to amend Sections 6070, 6076, 6077, 6078, 6215, and 8456 of the Food and Agricultural Code, to amend Sections 4005, 23687, 23731, 25201, 25526, 25537, 26922, 27504.1, 29965, 30003, 36507, 65009, 66499.22, 71081, 76106, 81011.5, 84101, and 88001 of the Government Code, to amend Sections 5831, 5861, 5863, 5864, 5865, 5866, 5867, 5872, 5873, 5874, 6020, 6031, 6035, 6039, 6044, 6045, 6053, 6054, 6055, 6056, and 6230 of the Harbors and Navigation Code, to amend Section 5053 of the Insurance Code, to amend Sections 1170, 1174, 1176, 1179, 1180, 1181, 1182, 1185, 1191, and 1255 of the Military and Veterans Code, to amend Section 6005 of the Penal Code, to amend Section 1865 of the Probate Code, *to amend Section 9977 of, and to repeal Sections 4876, 9977, and 13021 of, the Public Resources Code*, to amend Sections 11825, 12816, 15702, 15703, 15704, 15705, 15706, 15794, 15796, 15842, 15956, 26405, 26654, 27405, 27424, 28746, 28747, 28747.4, 28750.4, 29664,

29714, 31405, 31411, 50033, 50039, 70033, 90773, 90933, 95163, 95194, 98043, 98100, 101170, 101285, 101286, 101287, and 101295 of the Public Utilities Code, to amend Sections 909, 1181, 1186, 3111, 3112.5, 3114, 5026, 8653, 9019, 11302, 19090, 19092, 19093, 19094, 25206, 27044, 27045, 27046, 27047, 27048, 27062, 27063, 27080, 27082, 27100, 27102, 27109, 27123, and 27322 of the Streets and Highways Code, to amend Sections 9368, 9386, 20740, 20911, 22970.10, 22970.20, 22970.25, 30230, 30778, 31133, 34053, 35005, 35048, 35049, 35050, 35051, 35052, 35053, 41303, 45274, 45275, 45276, 50752, 50805, 50816, 50817, 50954, 60080, 60082, 60083, 60095, 60211, 60212, 60213, 60430, 60431, 60434, 60440, 70033, 70041, 71120, 71125, 71126, 71127, 71128, 71129, 71130, 71132, 71133, 71461, and 71463 of, and to repeal Sections 30061, 60049, 71031, and 71135 of, the Water Code, and to amend Sections 4117, 4457, 4804, and 5110 of the Welfare and Institutions Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1019, as amended, Torlakson. Counties: clerks.

Existing law requires the county clerk to perform specific duties, including, among other things, giving notice of the time and place fixed for hearings, accepting documents and reports for filing, receiving notice of causes of action against the county and petitions, transmitting and receiving resolutions, and preparing and certifying to all proceedings on file relative to the issuance and sale of bonds. Existing law prescribes the election procedures for various special districts.

This bill would repeal obsolete provisions and revise references to the county clerk and the registrar of voters to, instead, refer to, as appropriate, the clerk of the board of supervisors, the county elections official, the clerk of the legislative body, or the appropriate financial officer or other designated official in a county. This bill would revise certain obsolete provisions relating to special district elections.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5499.4 of the Business and Professions
- 2 Code is amended to read:

5499.4. The notice shall be substantially in the following form:

NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY

Notice is hereby given that on the ____ day of ____, 20__, the (name of the legislative body) of (city or county) adopted a resolution declaring that an illegal advertising display is located upon or in front of this property which constitutes a public nuisance and must be abated by the removal of the illegal display. Otherwise, it will be removed, and the nuisance abated by the city (or county). The cost of removal will be assessed upon the property from or in front of which the display is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for further particulars. A copy of this resolution is on file in the office of the clerk of the legislative body.

All property owners having any objection to the proposed removal of the display are hereby notified to attend a meeting of the (name of the legislative body) of (city or county) to be held (give date, time, and place), when their objections will be heard and given due consideration.

Dated this _____ day of _____, 20_____

(Title)

(City or County of _____)

SEC. 2. Section 1253.5 of the Education Code is amended to read:

1253.5. (a) If a unified school district, described in subdivision (c), is subject to Section 1253, the county board of supervisors of each county wherein the district is situated may by agreement and pursuant to an appropriate resolution adopted by each board, permit the voters of the district who lie outside the county housing the county superintendent of schools who has jurisdiction of the district the right to participate in the election of such county superintendent of schools.

(b) The county elections official of each county affected by the agreement described in subdivision (a) shall be responsible for the conduct of the election within his or her county.

(c) The provisions of this section shall apply only to a unified school district which was formed on July 1, 1965, and that, as of the 1979–80 school year, maintained an enrollment of between 12,000 and 15,000 pupils.

SEC. 3. Section 1258 of the Education Code is amended to read:

1258. Whenever by this code the county superintendent of schools is authorized or required to prepare for, hold, or conduct any election in or for any public school district the county superintendent may contract with the county elections official for the performance under the supervision of the county superintendent of any or all of the duties incident to the preparation for and holding of elections.

The governing board of a school district may contract with the county elections official for the performance under the supervision of the governing board of any or all duties incident to the holding or conducting of an election in the district for the issuance and sale of bonds of the district pursuant to Section 15100.

SEC. 4. Section 5019 of the Education Code is amended to read:

5019. (a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district the county committee on school district organization shall have the power to establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization shall also have the power to establish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee approving the establishment of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee or made to the county committee either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a

1 district in which there are 2,500 or fewer qualified registered
2 voters, or by a petition signed by 2 percent, or 250, whichever is
3 less, of the qualified registered voters residing in a district in which
4 there are 2,501 or more qualified registered voters or by resolution
5 of the governing board of the district. For this purpose, the number
6 of qualified registered voters in the district shall be determined
7 pursuant to the most recent report submitted by the county
8 elections official to the Secretary of State under Section 610 or
9 6460 of the Elections Code.

10 When the proposal is made, the county committee shall call and
11 conduct at least one hearing in the district on the matter. At the
12 conclusion of the hearing, the county committee shall approve or
13 disapprove the proposal.

14 (d) If the county committee approves pursuant to subdivision
15 (a) the rearrangement of the boundaries of trustee areas for a
16 particular district, then the rearrangement of the trustee areas shall
17 be effectuated for the next district election occurring at least 120
18 days after its approval, unless at least 5 percent of the registered
19 voters of the district sign a petition requesting an election on the
20 proposed rearrangement of trustee area boundaries. The petition
21 for an election shall be submitted to the elections official within 60
22 days of the proposal's adoption by the county committee. If the
23 qualified registered voters approve pursuant to subdivision (b) the
24 rearrangement of the boundaries to the trustee areas for a particular
25 district, then the rearrangement of the trustee areas shall be
26 effectuated for the next district election occurring at least 120 days
27 after its approval by the voters.

28 SEC. 5. Section 5303 of the Education Code is amended to
29 read:

30 5303. The county elections official shall perform the duties
31 incident to the preparation for, and holding of, all district elections.

32 In districts situated in two or more counties, or in elections to
33 organize or reorganize districts in territory situated in two or more
34 counties, the county elections officials in the counties in which any
35 part of the district territory is situated, shall, by mutual agreement,
36 provide for the performance of those duties.

37 SEC. 6. Section 5324 of the Education Code is amended to
38 read:

39 5324. At least 120 days prior to the date of the election in the
40 case of an election for governing board members, the county

1 superintendent of schools shall deliver to the county elections
2 official in the county where the election is to be held, copies of:

3 (a) The order of election.

4 (b) The formal notice of election.

5 SEC. 7. Section 5325 of the Education Code is amended to
6 read:

7 5325. Any school district election or community college
8 district election, except a bond measure election, ordered to be
9 held in accordance with this code shall be called by the county
10 superintendent of schools having jurisdiction of the election by
11 doing both of the following:

12 (a) Posting or publication of notices of election.

13 (b) Delivery of a copy of the formal notice of election to the
14 county elections official at least 120 days prior to the date of the
15 election in the case of an election for governing board members.

16 SEC. 8. Section 5380 of the Education Code is amended to
17 read:

18 5380. Any election officer serving at any school district
19 election or community college district election may be paid out of
20 the funds of the district as compensation for his or her services as
21 an election officer a sum determined by the county elections
22 official and approved by the county board of supervisors, not to
23 exceed the amount paid from the county treasury to officers of the
24 preceding general election. In districts in which the polls are kept
25 open less than 12 hours, the maximum compensation for election
26 officers shall be the sum bearing the same relation to the amount
27 paid to election officers of the last preceding general election as the
28 number of hours the polls were open at the election bears to the
29 number of hours the polls were open in the preceding general
30 election.

31 SEC. 9. Section 5421 of the Education Code is amended to
32 read:

33 5421. The cost of any election held within a single district
34 shall be borne by the entire district, and shall be paid out of its
35 funds. Election costs shall be determined by the county elections
36 official and approved by the county board of supervisors.

37 SEC. 10. Section 15148 of the Education Code is amended to
38 read:

39 15148. If satisfactory bids are received, the bonds offered for
40 sale shall be awarded to the highest responsible bidder or bidders,

1 and the clerk of the board of supervisors shall prepare and certify
2 to all of the proceedings on file in his or her office relative to the
3 issuance and sale of the bonds, which transcript of proceedings
4 shall be delivered to the successful bidder or bidders without
5 charge. If no bids are received, or if the board determines that the
6 bids received exceed either the maximum acceptable interest rate
7 prescribed by the governing board or the maximum rate prescribed
8 by Section 15143, or that they are not satisfactory as to price or
9 responsibility of the bidders, the board may reject all bids received,
10 if any, and without further authorization from the governing board,
11 either readvertise or sell the bonds at private sale.

12 For the purpose of determining whether or not a bid exceeds the
13 maximum acceptable interest rate, the interest rate of that bid shall
14 be deemed to be the interest rate resulting from the total net interest
15 cost arrived at by computing the total amount of interest which the
16 district would be required to pay from the date of the bonds to the
17 respective maturity dates thereof at the rate or rates specified in the
18 bid and by deducting therefrom any premium bid.

19 SEC. 11. Section 15359.1 of the Education Code is amended
20 to read:

21 15359.1. (a) If satisfactory bids are received, the bonds
22 offered for sale shall be awarded to the highest responsible bidder
23 or bidders, and the clerk of the board of supervisors shall prepare
24 and certify to all of the proceedings on file in his or her office
25 relative to the issuance and sale of the bonds, which transcript of
26 proceedings shall be delivered to the successful bidder or bidders
27 without charge. If no bids are received, or if the board determines
28 that the bids received exceed either the maximum acceptable
29 interest rate prescribed by the governing board or the maximum
30 rate prescribed by Section 15353, or that they are not satisfactory
31 as to price or responsibility of the bidders, the board may reject all
32 bids received, if any, and without further authorization from the
33 governing board of the school district or community college
34 district in which the school facilities improvement district is
35 located, either readvertise or sell the bonds at private sale.

36 (b) For the purpose of determining whether or not a bid exceeds
37 the maximum acceptable interest rate, the interest rate of that bid
38 shall be deemed to be the interest rate resulting from the total net
39 interest cost arrived at by computing the total amount of interest
40 that the school facilities improvement district would be required

1 to pay from the date of the bonds to the respective maturity dates
2 thereof at the rate or rates specified in the bid and by deducting
3 therefrom any premium bid.

4 SEC. 12. Section 19420 of the Education Code is amended to
5 read:

6 19420. Within 30 days after the filing with the clerk of the
7 board of supervisors or county board of supervisors of the
8 resolution declaring the organization of the district, the
9 supervising board of supervisors shall appoint the required
10 number of library trustees from the district at large.

11 SEC. 13. Section 35001 of the Education Code is amended to
12 read:

13 35001. (a) Whenever a petition is presented to the governing
14 board of a school district, signed by at least 15 qualified electors
15 of that school district, asking that the name of the district be
16 changed and stating the new name requested, the governing board
17 shall designate a day upon which it will act upon the petition,
18 which shall not be less than 10 days nor more than 40 days after
19 the receipt of the petition.

20 The governing board shall give or cause to be given notice to all
21 parties interested by publication in a newspaper published within
22 the school district, or, if there is none, in any newspaper published
23 in the county, of the time set for the hearing of the petition. The
24 notice shall be published at least twice before the day set for
25 hearing. At the hearing the board shall by resolution either grant
26 or deny the petition, and, if granted, shall notify the county
27 superintendent of schools of the change of the name of the district.
28 The board shall also certify the name change to the county
29 elections official of each county in which any part of the school
30 district is situated. The name change shall also be entered in the
31 records of the governing board.

32 (b) As an alternative to the procedures set forth in subdivision
33 (a), a petition may be presented to the superintendent of schools
34 having jurisdiction of any high school district signed by at least
35 two-thirds of the members of the governing board of the high
36 school district asking that the name of the district be changed and
37 stating the new name desired. The procedure shall thereafter be the
38 same as is provided for electors' petitions in subdivision (a).

39 SEC. 14. Section 307 of the Elections Code is amended to
40 read:

307. “Clerk” means *the* county elections official, registrar of voters, city clerk, or other officer or board charged with the duty of conducting any election.

SEC. 15. Section 308 of the Elections Code is amended to read:

308. “District elections official,” for the purposes of initiative and referendum under Article 1 (commencing with Section 9300) of Chapter 4 of Division 9, includes the county elections official or other officer or board charged with performing the duties required of the clerk of the district by that chapter.

SEC. 16. Section 311 of the Elections Code is repealed.

SEC. 17. Section 8040 of the Elections Code is amended to read:

8040. (a) The declaration of candidacy by a candidate shall be substantially as follows:

DECLARATION OF CANDIDACY

I hereby declare myself a ____ Party candidate for nomination to the office of ____ District Number ____ to be voted for at the primary election to be held ____, 20__, and declare the following to be true:

My name is _____.

I want my name and occupational designation to appear on the ballot as follows: _____.

Addresses:

Residence _____

Business _____

Mailing _____

Telephone numbers: Day ____ Evening ____

I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship, residency, and party affiliation, if required).

I am at present an incumbent of the following public office (if any) ____.

If nominated, I will accept the nomination and not withdraw.

Signature of candidate

1 State of California)
2 County of _____) ss.
3)
4

5 Subscribed and sworn to before me this ____ day of ____, 20__.

6 _____
7 Notary Public (or other official)
8

9 Examined and certified by me this ____ day of ____, 20__.

10 _____
11 County Elections Official
12

13 WARNING: Every person acting on behalf of a candidate is guilty
14 of a misdemeanor who deliberately fails to file at the proper time
15 and in the proper place any declaration of candidacy in his or her
16 possession which is entitled to be filed under the provisions of the
17 Elections Code Section 18202.

18
19 (b) A candidate for a judicial office may not be required to state
20 his or her residential address on the declaration of candidacy.
21 However, in cases where the candidate does not state his or her
22 residential address on the declaration of candidacy, the elections
23 official shall verify whether his or her address is within the
24 appropriate political subdivision and add the notation “verified”
25 where appropriate.

26 SEC. 18. Section 9094 of the Elections Code is amended to
27 read:

28 9094. (a) The Secretary of State shall mail ballot pamphlets
29 to voters, in those instances in which the county elections official
30 uses data processing equipment to store the information set forth
31 in the affidavits of registration, before the election at which
32 measures contained in the ballot pamphlet are to be voted on unless
33 a voter has registered fewer than 29 days before the election. The
34 mailing shall commence not less than 40 days before the election
35 and shall be completed no later than 21 days before the election for
36 those voters who registered on or before the 60th day before the
37 election. The Secretary of State shall mail one copy of the ballot
38 pamphlet to each registered voter at the postal address stated on the
39 voter’s affidavit of registration, or the Secretary of State may mail



only one ballot pamphlet to two or more registered voters having the same surname and the same postal address.

(b) In those instances in which the county elections official does not utilize data processing equipment to store the information set forth in the affidavits of registration, the Secretary of State shall furnish ballot pamphlets to the county elections official not less than 45 days before the election at which measures contained in the ballot pamphlet are to be voted on and the county elections official shall mail ballot pamphlets to voters, on the same dates and in the same manner provided by subdivision (a).

(c) The Secretary of State shall provide for the mailing of ballot pamphlets to voters registering after the 60th day before the election and before the 28th day before the election, by either: (1) mailing in the manner as provided in subdivision (a), or (2) requiring the county elections official to mail ballot pamphlets to those voters registering in the county after the 60th day before the election and before the 28th day before the election pursuant to the provisions of this section. The second mailing of ballot pamphlets shall be completed no later than 10 days before the election. The county elections official shall mail a ballot pamphlet to any person requesting a ballot pamphlet. Three copies, to be supplied by the Secretary of State, shall be kept at every polling place, while an election is in progress, so that they may be freely consulted by the voters.

SEC. 19. Section 10500 of the Elections Code is amended to read:

10500. (a) This part may be cited as the Uniform District Election Law.

(b) As used in this part, the following definitions apply:

(1) “Affected county” means a county in which any land of the district or agency is situated.

(2) “Director” means a member of the governing body.

(3) “District” or “agency” means any district or agency of the type designated by and formed pursuant to the provisions of any principal act that incorporates this part.

(4) “Elective office” means any office that may, under the principal act of the district or agency, be filled by way of an election.

(5) “Elective officer” means “elective officer” as defined by the principal act of each district or agency or if not defined, any

1 officer of a district or agency holding an office that can be filled
2 by election.

3 (6) “General district election” means an election held pursuant
4 to the provisions of this part.

5 (7) “Governing body” means the board of directors of a
6 district or agency or the board or body which governs the activities
7 of the district or agency.

8 (8) “Landowner voting district” means a district whose
9 principal act requires an elector to be an owner of land located
10 within the district.

11 (9) “Principal act” means the law providing for the creation of
12 a particular district or agency or type of district or agency.

13 (10) “Principal county” means the county in which all the land
14 in the district or agency is situated, or if the district or agency is
15 situated in more than one county, the county in which the greatest
16 portion of the land in the district or agency is situated.

17 (11) “Resident voting district” means any district other than a
18 landowner voting district.

19 (12) “Secretary” means the secretary of the governing body or
20 a person designated by him or her to perform a duty of the
21 secretary.

22 (13) “Supervising authority” means the board of supervisors
23 of the county in which is situated all or most of the land of a district.

24 (14) “Voter” means a voter or elector as respectively defined
25 in the principal act of each district or agency.

26 SEC. 20. Section 10540 of the Elections Code is amended to
27 read:

28 10540. Candidates’ statements of their qualifications
29 submitted in accordance with Section 13307 shall be filed with the
30 county elections official, who shall cause the voters’ pamphlet, if
31 any is required, to be mailed.

32 SEC. 21. Section 11002 of the Elections Code is amended to
33 read:

34 11002. For the purposes of this division, “elections official”
35 means one of the following:

36 (a) A county elections official in the case of the recall of
37 elective officers of a county, school district, county board of
38 education, community college district, or resident voting district,
39 and of judges of trial courts.



(b) A city elections official, including, but not necessarily limited to, a city clerk, in the case of the recall of elective officers of a city.

(c) The secretary of the governing board in the case of the recall of elective officers of a landowner voting district or any district in which, at a regular election, candidate's nomination papers are filed with the secretary of the governing board.

SEC. 22. Section 18546 of the Elections Code is amended to read:

18546. As used in this article:

(a) "Elections official" means *the* county elections official, registrar of voters, or city clerk.

(b) "Immediate vicinity" means the area within a distance of 100 feet from the room or rooms in which the voters are signing the roster and casting ballots.

SEC. 23. Section 6070 of the Food and Agricultural Code is amended to read:

6070. The board of supervisors in every county where a district has been organized and exists under the provisions of this chapter shall direct the agricultural commissioner to file with the board of supervisors on March 1st of each year a register of every cottongrower intending to grow cotton during the growing season immediately following that date, describing the net acreage of land to be devoted to the growing of cotton by each grower. The agricultural commissioner shall submit a preliminary estimate of the information required to be filed on March 1st in order for the board to prepare the district budget.

The agricultural commissioner shall submit a copy of the register to the clerk of the board of supervisors during election years.

SEC. 24. Section 6076 of the Food and Agricultural Code is amended to read:

6076. In each cotton pests abatement district, a biennial election shall be held in March of each odd-numbered year by the county elections official of the county in which a majority of the acreage in the district is contained. Notice of the election, and of the offices to be filled, shall be published in a newspaper of general circulation in the county once a week for three successive weeks before the first day of February. At the election a sufficient number of directors shall be elected to fill the places of those directors

1 whose terms expire the first day of April immediately following
2 the election.

3 The county elections official shall make declarations of
4 candidacy available from between 113 and 88 days before the
5 election. Any person eligible for the office of director, desiring to
6 be a candidate for election, shall file a declaration with the county
7 elections official on or before the 88th day before the election. The
8 county elections official shall certify the qualified candidates and
9 have ballots prepared and printed. The election shall be conducted,
10 as nearly as practicable, in accordance with the general election
11 laws of this state.

12 SEC. 25. Section 6077 of the Food and Agricultural Code is
13 amended to read:

14 6077. The county elections official on or after the 29th day
15 before the election shall mail a ballot, an identification envelope,
16 and a stamped and addressed return envelope to each cottongrower
17 on the register submitted by the agricultural commissioner. The
18 ballot shall indicate the number of votes and the number shall be
19 written on the ballot by the clerk. Each cottongrower appearing on
20 the register shall be entitled to one vote for each acre of cotton for
21 which a valid permit to grow cotton is possessed for each office to
22 be filled, or proposition to be voted upon, at that election.
23 Cumulative voting is not authorized.

24 The ballot shall be printed in substantially the following form:



NOTE TO PRINTING OFFICE: INSERT CAMERA-READY
COPY HERE

for Cotton Pest Abatement District official ballot
as printed on page 584 of the 1982 Statutes.

1

2 The ballot shall be placed in the identification envelope by the
3 voter after the voter has indicated his or her choices. The
4 identification envelope shall be sealed and signed by the voter. The
5 identification envelope shall be returned to the county elections
6 official in the sealed return envelope.

7 Ballots in order to be counted shall be received by the elections
8 official not later than 12 o'clock noon of the first Tuesday after the
9 first Monday in March and the return envelopes containing the
10 ballots shall not be opened until that time. The elections official
11 shall then open the return envelopes and deposit the ballot in its
12 unopened envelope in a ballot box. After deposit of all
13 identification envelopes received, the elections official shall open
14 the ballot box and count the votes cast and certify the results of the
15 election.

16 The returns of the election shall be reported to the board of
17 directors of the district who shall meet on the Monday following
18 the election and canvass the returns.

19 SEC. 26. Section 6078 of the Food and Agricultural Code is
20 amended to read:

21 6078. The persons declared elected shall take the oath of
22 office and file their official bonds with the county elections official
23 on or before the first day of April following their election and shall
24 take office at noon of that day.

25 SEC. 27. Section 6215 of the Food and Agricultural Code is
26 amended to read:

27 6215. (a) The board of supervisors shall fix a time and place
28 for the hearing of the petition.

29 (b) The hearing shall not be less than 20 days, or more than 40
30 days, after the filing of the petition with the board of supervisors.

31 (c) The board of supervisors shall order the clerk of the board
32 of supervisors to give notice of the time and place fixed for the
33 hearing upon the petition.

34 SEC. 28. Section 8456 of the Food and Agricultural Code is
35 amended to read:

36 8456. The board of supervisors shall order the clerk of the
37 board of supervisors to give notice of the time and place fixed for
38 the hearing upon the petition.

39 SEC. 29. Section 4005 of the Government Code is amended
40 to read:



1 4005. Within 60 days from the completion of any public
2 work, the engineer shall prepare and file in the office of the clerk
3 of the board of supervisors of the county in which the public work
4 is performed, or if the engineer maintains an office in the county
5 where the work is performed, then in that office, or if any
6 reclamation, irrigation or other district maintains an office, then in
7 the office of his or her own district instead of the office of the clerk
8 of the board of supervisors, the following information in addition
9 to that required by Section 4004:

10 (a) Names of bidders with prices bid, if bids there be.

11 (b) Changes in adopted or approved plans and specifications or
12 a work authorization describing the work to be performed.

13 (c) That the work performed has or has not been done in
14 accordance with these plans and specifications or work
15 authorization.

16 (d) The total cost of the work, segregated so as to show the
17 actual cost of all labor, materials, equipment, engineering or
18 architectural services, including the services of public employees
19 in connection with that work, and other expense. The cost shown
20 for equipment shall include rentals paid or, if the equipment is
21 publicly owned, a reasonable amount for depreciation and the cost
22 of repairs thereon while so used.

23 SEC. 30. Section 23687 of the Government Code is amended
24 to read:

25 23687. The statement by the board of supervisors showing the
26 result of the election shall be deposited in the office of the county
27 elections official.

28 SEC. 31. Section 23731 of the Government Code is amended
29 to read:

30 23731. The county elections official shall prepare and mail to
31 each eligible registered voter in the county a sample ballot. In all
32 other respects, the election shall be held and conducted, the returns
33 canvassed and the result declared by the governing body in the
34 same manner as provided by law for general elections.

35 SEC. 32. Section 25201 of the Government Code is amended
36 to read:

37 25201. Subject to the provisions of the Elections Code, the
38 board may establish, abolish, and change election precincts,
39 appoint inspectors, clerks, and judges of election, canvass all

1 election returns, declare the result, and order the county elections
2 official to issue certificates of election.

3 SEC. 33. Section 25526 of the Government Code is amended
4 to read:

5 25526. Before ordering the sale or lease of any property the
6 board of supervisors shall, in a regular open meeting, by a
7 two-thirds vote of all its members, adopt a resolution, declaring its
8 intention to sell the property, or a resolution declaring its intention
9 to lease it, as the case may be. The resolution shall describe the
10 property proposed to be sold, or leased, in a manner as to identify
11 it and shall specify the minimum price, or rental, and the terms
12 upon which it will be sold, or leased, and shall fix a time, not less
13 than three weeks thereafter for a public meeting of the board of
14 supervisors to be held at its regular place of meeting, at which
15 sealed proposals to purchase or lease will be received and
16 considered.

17 When the minimum price or annual rental is not over two
18 thousand dollars (\$2,000) or one hundred fifty dollars (\$150) per
19 month for a period of one year or less, instead of describing in
20 detail the property and the terms on which it will be sold or leased,
21 the resolution may briefly identify the property, state the minimum
22 price or rental, and refer to the proposed form of conveyance or
23 lease on file in the office of the clerk of the board of supervisors
24 in which the terms for selling or leasing the property may be seen.

25 SEC. 34. Section 25537 of the Government Code is amended
26 to read:

27 25537. (a) In any county the board of supervisors may
28 prescribe by ordinance a procedure alternative to that required by
29 Sections 25526 to 25535, inclusive, for the leasing or licensing of
30 any real property belonging to, leased by, or licensed by, the
31 county. Any alternative procedure so prescribed shall require that
32 the board of supervisors either accept the highest proposal for the
33 proposed lease or license submitted in response to a call for bids
34 posted in at least three public places for not less than 15 days and
35 published for not less than two weeks in a newspaper of general
36 circulation, if the newspaper is published in the county, or reject
37 all bids.

38 (b) Leases or licenses of a duration not exceeding 10 years and
39 having an estimated monthly rental of not exceeding five thousand
40 dollars (\$5,000) may be excluded from the bidding procedure

1 specified in subdivision (a), except that notice shall be given
2 pursuant to Section 6061, posted in the office of the clerk of the
3 board of supervisors, and if the lease or license involves residential
4 property, notice shall be given to the housing sponsors, as defined
5 by Sections 50074 and 50074.5 of the Health and Safety Code. The
6 notice shall describe the property proposed to be leased or
7 licensed, the terms of the lease or license, the location where offers
8 to lease or license the property will be accepted, the location where
9 leases or licenses will be executed, and any county officer
10 authorized to execute the lease or license. If a lease or license is
11 excluded from the bidding procedure, the actual monthly rental in
12 the executed lease or license shall not exceed five thousand dollars
13 (\$5,000), the term of the executed lease or license shall not exceed
14 10 years, and the lease or license is not renewable. The board of
15 supervisors may, by resolution, authorize the county officer or
16 officers as are deemed appropriate, to execute leases or licenses
17 pursuant to this section. The county officer authorized by the board
18 of supervisors to execute licenses pursuant to this section shall
19 provide a notice to the supervisorial district office in which the
20 property proposed to be licensed is located at least five working
21 days prior to execution of the license. The notice shall describe the
22 property proposed to be licensed, the terms and conditions of the
23 license, and the name of the proposed licensee. If the supervisorial
24 district office has not responded in writing objecting to the
25 proposed license within five working days after the notice has been
26 provided, the proposed license shall be deemed approved by the
27 district office. If the supervisorial district office objects to the
28 proposed license in writing within five working days, the license
29 may be submitted for approval by the board of supervisors at a
30 regular meeting.

31 (c) Notice pursuant to this section shall also be mailed or
32 delivered at least 15 days prior to accepting offers to lease or
33 license pursuant to this section to any person who has filed a
34 written request for notice with either the clerk of the board or with
35 any other person designated by the board to receive these requests.
36 The county may charge a fee that is reasonably related to the costs
37 of providing this service and the county may require each request
38 to be annually renewed. The notice shall describe the property
39 proposed to be leased or licensed, the terms of the lease or license,
40 the location where offers to lease or license the property will be

1 accepted, the location where leases or licenses will be executed,
2 and any county officer authorized to execute the lease or license.

3 SEC. 35. Section 26922 of the Government Code is amended
4 to read:

5 26922. One copy of the report prepared pursuant to Section
6 26920 shall be filed in the office of the clerk of the board of
7 supervisors, and the auditor shall post and maintain the other in his
8 or her office for at least one quarter.

9 SEC. 36. Section 27504.1 of the Government Code is
10 amended to read:

11 27504.1. If the findings are that the deceased met his or her
12 death at the hands of another, the coroner shall, in addition to filing
13 the report in his or her office or with the county clerk, as
14 determined by the board of supervisors pursuant to Section 27503,
15 transmit his or her written findings to the district attorney, the
16 police agency wherein the dead body was recovered, and any other
17 police agency requesting copies of the findings.

18 The findings and conclusions provided for in this article shall
19 be sufficient to satisfy the cause of death information required in
20 death certificates under Section 102875 of the Health and Safety
21 Code.

22 SEC. 37. Section 29965 of the Government Code is amended
23 to read:

24 29965. Unless prevented by petition protesting the passage of
25 the ordinance, signed and filed with the board pursuant to Division
26 4 of the Elections Code, the bonds shall be publicly canceled at the
27 time and place fixed, and the clerk of the board of supervisors shall
28 enter on the minutes of the board of supervisors a record of the
29 bonds canceled sufficient to identify them and the fact and date of
30 the cancellation.

31 SEC. 38. Section 30003 of the Government Code is amended
32 to read:

33 30003. The bonds shall bear interest at the rate of 5 percent a
34 year and be payable at the time as the board orders, not exceeding
35 20 years from date of issuance. The bonds shall be signed by the
36 chair of the board of supervisors and the clerk of the board of
37 supervisors.

38 SEC. 39. Section 36507 of the Government Code is amended
39 to read:

1 36507. Before entering upon his or her duties, each city
2 officer shall take and file with the city clerk the constitutional oath
3 of office, except that the councilmember elected at the
4 incorporation election shall deposit his or her oath with the county
5 elections official of the county wherein the city is located, to be
6 held by him or her for delivery to the city clerk at the time as the
7 city clerk officially assumes office.

8 SEC. 40. Section 65009 of the Government Code is amended
9 to read:

10 65009. (a) (1) The Legislature finds and declares that there
11 currently is a housing crisis in California and it is essential to
12 reduce delays and restraints upon expeditiously completing
13 housing projects.

14 (2) The Legislature further finds and declares that a legal action
15 or proceeding challenging a decision of a city, county, or city and
16 county has a chilling effect on the confidence with which property
17 owners and local governments can proceed with projects. Legal
18 actions or proceedings filed to attack, review, set aside, void, or
19 annul a decision of a city, county, or city and county pursuant to
20 this division, including, but not limited to, the implementation of
21 general plan goals and policies that provide incentives for
22 affordable housing, open-space and recreational opportunities,
23 and other related public benefits, can prevent the completion of
24 needed developments even though the projects have received
25 required governmental approvals.

26 (3) The purpose of this section is to provide certainty for
27 property owners and local governments regarding decisions made
28 pursuant to this division.

29 (b) (1) In an action or proceeding to attack, review, set aside,
30 void, or annul a finding, determination, or decision of a public
31 agency made pursuant to this title at a properly noticed public
32 hearing, the issues raised shall be limited to those raised in the
33 public hearing or in written correspondence delivered to the public
34 agency prior to, or at, the public hearing, except where the court
35 finds either of the following:

36 (A) The issue could not have been raised at the public hearing
37 by persons exercising reasonable diligence.

38 (B) The body conducting the public hearing prevented the issue
39 from being raised at the public hearing.

(2) If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: “If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.”

(3) The application of this subdivision to causes of action brought pursuant to subdivision (d) applies only to the final action taken in response to the notice to the city or clerk of the board of supervisors. If no final action is taken, then the issue raised in the cause of action brought pursuant to subdivision (d) shall be limited to those matters presented at a properly noticed public hearing or to those matters specified in the notice given to the city or clerk of the board of supervisors pursuant to subdivision (d), or both.

(c) (1) Except as provided in subdivision (d), no action or proceeding shall be maintained in any of the following cases by any person unless the action or proceeding is commenced and service is made on the legislative body within 90 days after the legislative body’s decision:

(A) To attack, review, set aside, void, or annul the decision of a legislative body to adopt or amend a general or specific plan. This paragraph does not apply where an action is brought based upon the complete absence of a general plan or a mandatory element thereof, but does apply to an action attacking a general plan or mandatory element thereof on the basis that it is inadequate.

(B) To attack, review, set aside, void, or annul the decision of a legislative body to adopt or amend a zoning ordinance.

(C) To determine the reasonableness, legality, or validity of any decision to adopt or amend any regulation attached to a specific plan.

(D) To attack, review, set aside, void, or annul the decision of a legislative body to adopt, amend, or modify a development agreement. An action or proceeding to attack, review, set aside, void, or annul the decisions of a legislative body to adopt, amend, or modify a development agreement shall only extend to the specific portion of the development agreement that is the subject of the adoption, amendment, or modification. This paragraph

1 applies to development agreements, amendments, and
2 modifications adopted on or after January 1, 1996.

3 (E) To attack, review, set aside, void, or annul any decision on
4 the matters listed in Sections 65901 and 65903, or to determine the
5 reasonableness, legality, or validity of any condition attached to a
6 variance, conditional use permit, or any other permit.

7 (F) Concerning any of the proceedings, acts, or determinations
8 taken, done, or made prior to any of the decisions listed in
9 subparagraphs (A), (B), (C), (D), and (E).

10 (2) In the case of an action or proceeding challenging the
11 adoption or revision of a housing element pursuant to this
12 subdivision, the action or proceeding may, in addition, be
13 maintained if it is commenced and service is made on the
14 legislative body within 60 days following the date that the
15 Department of Housing and Community Development reports its
16 findings pursuant to subdivision (h) of Section 65585.

17 (d) An action or proceeding shall be commenced and the
18 legislative body served within one year after the accrual of the
19 cause of action as provided in this subdivision, if the action or
20 proceeding meets both of the following requirements:

21 (1) It is brought in support of or to encourage or facilitate the
22 development of housing that would increase the community's
23 supply of housing affordable to persons and families with low or
24 moderate incomes, as defined in Section 50079.5 of the Health and
25 Safety Code, or with very low incomes, as defined in Section
26 50105 of the Health and Safety Code, or middle-income
27 households, as defined in Section 65008 of this code. This
28 subdivision is not intended to require that the action or proceeding
29 be brought in support of or to encourage or facilitate a specific
30 housing development project.

31 (2) It is brought with respect to actions taken pursuant to Article
32 10.6 (commencing with Section 65580) of Chapter 3 of this
33 division, pursuant to Section 65589.5, 65863.6, 65915, or 66474.2
34 or pursuant to Chapter 4.2 (commencing with Section 65913).

35 A cause of action brought pursuant to this subdivision shall not
36 be maintained until 60 days have expired following notice to the
37 city or clerk of the board of supervisors by the party bringing the
38 cause of action, or his or her representative, specifying the
39 deficiencies of the general plan, specific plan, or zoning ordinance.
40 A cause of action brought pursuant to this subdivision shall accrue

1 60 days after notice is filed or the legislative body takes a final
2 action in response to the notice, whichever occurs first. A notice
3 or cause of action brought by one party pursuant to this subdivision
4 shall not bar filing of a notice and initiation of a cause of action by
5 any other party.

6 (e) Upon the expiration of the time limits provided for in this
7 section, all persons are barred from any further action or
8 proceeding.

9 (f) Notwithstanding Sections 65700 and 65803, or any other
10 provision of law, this section shall apply to charter cities.

11 (g) Except as provided in subdivision (d), this section shall not
12 affect any law prescribing or authorizing a shorter period of
13 limitation than that specified herein.

14 (h) Except as provided in paragraph (4) of subdivision (c), this
15 section shall be applicable to those decisions of the legislative
16 body of a city, county, or city and county made pursuant to this
17 division on or after January 1, 1984.

18 SEC. 41. Section 66499.22 of the Government Code is
19 amended to read:

20 66499.22. A proceeding for exclusion shall be initiated by
21 filing a petition therefor in the offices of the county surveyor and
22 clerk of the board of supervisors of the county in which the
23 subdivision or the portion thereof sought to be excluded is situated.
24 The petition shall accurately and distinctly describe the real
25 property sought to be excluded by reference to the recorded map
26 or by any accurate survey, shall show the names and addresses of
27 all owners of real property in the subdivision or in the portion
28 thereof sought to be excluded as far as the same are known to the
29 petitioners, and shall set forth the reasons for the requested
30 exclusion. The petition shall be signed and verified by the owners
31 of at least two-thirds of the total area of the real property sought
32 to be excluded.

33 SEC. 42. Section 71081 of the Government Code is amended
34 to read:

35 71081. Whenever the judge of an existing court would be
36 entitled pursuant to this article to become the judge of more than
37 one court, he or she shall file a written statement with the county
38 elections official electing the judicial office to which he or she will
39 assert his or her claim of eligibility. Failure to file a statement is
40 deemed an election by the judge to assert his or her claim of

1 eligibility to office in the court of the district in which the existing
2 court is located.

3 SEC. 43. Section 76106 of the Government Code is amended
4 to read:

5 76106. With respect to any fund established pursuant to this
6 chapter, the penalty amounts to be deposited in the fund shall be
7 specified by resolution adopted by the board of supervisors of each
8 county consistent with the authorizations set forth in this article
9 and Article 3 (commencing with Section 76200). Each resolution
10 shall state that the implementation of the applicable sections is
11 necessary to the county for the establishment of adequate
12 courtroom or criminal justice facilities or other authorized
13 purposes of the fund. The resolution shall set forth the amounts to
14 be placed in the fund and shall instruct the clerk of the board of
15 supervisors to transmit, on the next business day following the
16 adoption of the resolution, a copy of the resolution to the clerk of
17 each court in the county.

18 SEC. 44. Section 81011.5 of the Government Code is
19 amended to read:

20 81011.5. Any provision of law to the contrary
21 notwithstanding, the election precinct of a person signing a
22 statewide petition shall not be required to appear on the petition
23 when it is filed with the county elections official, nor any
24 additional information regarding a signer other than the
25 information required to be written by the signer.

26 SEC. 45. Section 84101 of the Government Code is amended
27 to read:

28 84101. (a) A committee that is a committee by virtue of
29 subdivision (a) of Section 82013 shall file with the Secretary of
30 State a statement of organization within 10 days after it has
31 qualified as a committee. The committee shall file the original of
32 the statement of organization with the Secretary of State and shall
33 also file a copy of the statement of organization with the local filing
34 officer, if any, with whom the committee is required to file the
35 originals of its campaign reports pursuant to Section 84215. The
36 original and copy of the statement of organization shall be filed
37 within 10 days after the committee has qualified as a committee.
38 The Secretary of State shall assign a number to each committee
39 that files a statement of organization and shall notify the
40 committee of the number. The Secretary of State shall send a copy

1 of statements filed pursuant to this section to the county elections
2 official of each county which he or she deems appropriate. A
3 county elections official who receives a copy of a statement of
4 organization from the Secretary of State pursuant to this section
5 shall send a copy of the statement to the clerk of each city in the
6 county that he or she deems appropriate.

7 (b) In addition to filing the statement of organization as
8 required by subdivision (a), if a committee qualifies as a
9 committee under subdivision (a) of Section 82013 before the date
10 of an election in connection with which the committee is required
11 to file preelection statements, but after the closing date of the last
12 campaign statement required to be filed before the election
13 pursuant to Section 84200.7 or 84200.8, the committee shall file,
14 by telegram or personal delivery within 24 hours of qualifying as
15 a committee, the information required to be reported in the
16 statement of organization. The information required by this
17 subdivision shall be filed with the filing officer with whom the
18 committee is required to file the originals of its campaign reports
19 pursuant to Section 84215.

20 (c) If an independent expenditure committee qualifies as a
21 committee pursuant to subdivision (a) of Section 82013 during the
22 time period described in Section 82036.5 and makes independent
23 expenditures of one thousand dollars (\$1,000) or more to support
24 or oppose a candidate or candidates for office, the committee shall
25 file by facsimile transmission, online transmission, telegram or
26 personal delivery within 24 hours of qualifying as a committee, the
27 information required to be reported in the statement of
28 organization. The information required by this section shall be
29 filed with the filing officer with whom the committee is required
30 to file the original of its campaign reports pursuant to Section
31 84215, and to file at all locations required for the candidate or
32 candidates supported or opposed by the independent expenditures.
33 The filings required by this section are in addition to filings that
34 may be required by Sections 84203.5 and 84204.

35 (d) For purposes of this section, in calculating whether one
36 thousand dollars (\$1,000) in contributions has been received,
37 payments for a filing fee or for a statement of qualifications to
38 appear in a sample ballot shall not be included if these payments
39 have been made from the candidate's personal funds.

1 SEC. 46. Section 88001 of the Government Code is amended
2 to read:

3 88001. The ballot pamphlet shall contain all of the following:

4 (a) A complete copy of each state measure.

5 (b) A copy of the specific constitutional or statutory provision,
6 if any, that would be repealed or revised by each state measure.

7 (c) A copy of the arguments and rebuttals for and against each
8 state measure.

9 (d) A copy of the analysis of each state measure.

10 (e) Tables of contents, indexes, art work, graphics and other
11 materials that the Secretary of State determines will make the
12 ballot pamphlet easier to understand or more useful for the average
13 voter.

14 (f) A notice, conspicuously printed on the cover of the ballot
15 pamphlet, indicating that additional copies of the ballot pamphlet
16 will be mailed by the county elections official upon request.

17 (g) A written explanation of the judicial retention procedure as
18 required by Section 9083 of the Elections Code.

19 SEC. 47. Section 5831 of the Harbors and Navigation Code
20 is amended to read:

21 5831. A certificate issued by the assessor of the county and
22 filed in the proceedings, which states that the name of any signer
23 of the petition appears upon the last equalized assessment-roll of
24 the county for land assessed to him *or her* and located within the
25 boundaries of the proposed district, is prima facie evidence that the
26 signer is a freeholder within the proposed district.

27 A certificate signed by the county elections official, which states
28 that the name of any signer of the petition is registered and
29 uncanceled as a voter of the county and that he or she resides within
30 the boundaries of the proposed district, is prima facie evidence that
31 the signer is a registered voter within the proposed district.

32 SEC. 48. Section 5861 of the Harbors and Navigation Code
33 is amended to read:

34 5861. This resolution of the board of supervisors shall:

35 (a) Fix the date of the election which shall be not less than 130
36 days after the date of the passage of the resolution.

37 (b) Designate one or more voting precincts and generally
38 describe the boundaries of each precinct.

1 (c) Designate a place within each precinct at which the polls
2 will be opened for the purpose of the election on the date of the
3 election.

4 (d) Appoint a board of election for each precinct, consisting of
5 one inspector, one judge, and one clerk, each of whom shall be a
6 registered elector of, and reside within, the precinct for which he
7 or she is appointed.

8 (e) State the object and purposes for which the indebtedness is
9 proposed to be incurred and the amount of the principal of the
10 indebtedness.

11 (f) Recite a maximum rate of interest to be paid on
12 indebtedness, not exceeding seven per cent per annum, payable
13 semiannually.

14 SEC. 49. Section 5863 of the Harbors and Navigation Code
15 is amended to read:

16 5863. The resolution shall invite the qualified voters residing
17 in the proposed district to vote upon the proposition by marking
18 on the ballot opposite the proposition of the formation of the
19 district and of the incurring of indebtedness thereby.

20 SEC. 50. Section 5864 of the Harbors and Navigation Code
21 is amended to read:

22 5864. The ballot to be used at the election shall be
23 substantially in the following form:

24
25 HARBOR DISTRICT:

26
27 OFFICIAL BALLOT:

28
29 Instructions to voters: To vote in favor of the formation of the
30 harbor district and the incurring of the indebtedness thereby, mark
31 in the voting area at the right of the words "For the harbor
32 district."

33 To vote against the formation of the harbor district and the
34 incurring of the indebtedness thereby, mark in the voting area at
35 the right of the words "Against the harbor district."

36 All erasures and distinguishing marks are forbidden and make
37 the ballot void. If you wrongly stamp, tear, or deface this ballot,
38 return it to the inspector of election and obtain another.
39

PROPOSITION-

“For the harbor district” (here set forth a general statement of the purposes for which the indebtedness is to be incurred, and the amount of the indebtedness).

“Against the harbor district” (here set forth a general statement of the purposes for which the indebtedness is to be incurred and the amount of the indebtedness).

SEC. 51. Section 5865 of the Harbors and Navigation Code is amended to read:

5865. The resolution calling the election shall be published pursuant to Section 6061 of the Government Code.

The passage of the resolution and its publication constitute the notice of election and no other notice need be given.

SEC. 52. Section 5866 of the Harbors and Navigation Code is amended to read:

5866. On the day of the election the polls at each of the polling places designated by the board of supervisors shall be opened at the hour of seven o'clock a.m. and shall be kept opened until the hour of eight o'clock p.m. of the same day, when the polls shall be closed. Any elector within the polling place or standing in line thereat who has not had an opportunity to vote and desires to vote shall be permitted to vote after the hour of eight o'clock p.m. of the day of election.

SEC. 53. Section 5867 of the Harbors and Navigation Code is amended to read:

5867. When the polls are closed, the board of election in each precinct shall close the polls in accordance with the election laws of the state governing general elections, and deposit the ballots with the county elections official of the county in which the election is held.

SEC. 54. Section 5872 of the Harbors and Navigation Code is amended to read:

5872. The Secretary of State shall file the certificate in his or her office, and within five days thereafter shall execute under the great seal of the State, and transmit to the clerk of the board of supervisors of the county in which the proceedings were had, a certificate that a harbor district under the name set forth in the petition has been formed and exists in that county.

1 SEC. 55. Section 5873 of the Harbors and Navigation Code
2 is amended to read:

3 5873. The clerk of the board of supervisors shall file the
4 certificate in his or her office and upon the filing of the certificate
5 of the Secretary of State in the office of the clerk of the board of
6 supervisors, the formation of the district is complete, and an
7 indebtedness is authorized in the sum specified in the resolution
8 calling the election.

9 SEC. 56. Section 5874 of the Harbors and Navigation Code
10 is amended to read:

11 5874. An action or proceeding shall not be maintained or
12 prosecuted in any court whatever to test or to invalidate the
13 formation of the district or the authorized indebtedness unless it is
14 commenced in a court of competent jurisdiction within 60 days
15 after the date of the filing of the certificate of the Secretary of State
16 in the office of the clerk of the board of supervisors.

17 SEC. 57. Section 6020 of the Harbors and Navigation Code
18 is amended to read:

19 6020. At the time and place specified in the notice, the board
20 of supervisors shall consider the petition and may continue the
21 hearing from time to time, not exceeding a period of 90 days.

22 At the hearing by the board of supervisors a certificate issued by
23 the assessor of the county and filed with the clerk of the board of
24 supervisors in the proceedings stating that the name of any signer
25 of the petition appears upon the last equalized assessment roll of
26 the county for land assessed to that signer and located within the
27 boundaries of the proposed district, is prima facie evidence that the
28 signer is a freeholder within the proposed district.

29 A certificate signed by the county elections official that the
30 name of any signer of the petition is a registered and uncanceled
31 voter of the county, residing within the boundaries of the proposed
32 district, is prima facie evidence that the signer is a registered voter
33 within the boundaries of the proposed district.

34 SEC. 58. Section 6031 of the Harbors and Navigation Code
35 is amended to read:

36 6031. The board of supervisors, by resolution, shall fix the
37 date of the election, which shall not be less than 130 days from the
38 date of its passage and it shall divide the proposed district into one
39 or more voting precincts and generally describe or otherwise
40 designate the boundaries of each precinct and designate a place

1 within each precinct at which the polls will be opened for the
2 purpose of the election on the day of the election.

3 SEC. 59. Section 6035 of the Harbors and Navigation Code
4 is amended to read:

5 6035. The ballot to be used at the election shall be
6 substantially in the following form:

7
8 (Name) Harbor District Official Ballot-
9

10 Instructions to voters: to vote in favor of the formation of the
11 harbor district, mark in the voting area at the right of the words
12 “For the harbor district.” To vote against the formation of the
13 harbor district mark in the voting area at the right of the words
14 “Against the harbor district.” To vote for a candidate for harbor
15 commissioner mark after the name of the candidate; but no more
16 persons shall be voted for than there are offices of harbor
17 commissioner to be filled at this election.

18 All erasures and distinguishing marks are forbidden and make
19 the ballot void. If you wrongfully stamp, tear or deface this ballot,
20 return it to the inspector of election and obtain another.

21 “For the harbor district.”

22 “Against the harbor district.”

23 “For harbor commissioners.”
24

25 SEC. 60. Section 6039 of the Harbors and Navigation Code
26 is amended to read:

27 6039. When the polls are closed, the board of election in every
28 precinct at the election to be held for the formation of the district,
29 shall close the polls in accordance with the general laws governing
30 the election, and deposit the ballots with the county elections
31 official in the county in which the election is held. At all
32 subsequent elections, the returns shall be deposited with the board.

33 SEC. 61. Section 6044 of the Harbors and Navigation Code
34 is amended to read:

35 6044. The clerk of the board of supervisors shall file the
36 certificate in his or her office and from the filing of the certificate
37 of the Secretary of State in the office of the clerk of the board of
38 supervisors, the formation of *the* district is complete.

39 SEC. 62. Section 6045 of the Harbors and Navigation Code
40 is amended to read:

1 6045. An action or proceeding shall not be thereafter
2 maintained or prosecuted in any court whatever to test or to
3 invalidate the formation of the district unless it is commenced in
4 a court of competent jurisdiction within 60 days after the date of
5 the filing of the certificate of the Secretary of State in the office of
6 the clerk of the board of supervisors.

7 SEC. 63. Section 6053 of the Harbors and Navigation Code
8 is amended to read:

9 6053. A candidate for harbor commissioner shall be a
10 registered voter of the proposed or existing district, and shall
11 qualify for election by securing a nomination paper proposing his
12 or her candidacy for the office of harbor commissioner signed by
13 not less than 25 but not more than 50 qualified electors of the
14 district.

15 SEC. 64. Section 6054 of the Harbors and Navigation Code
16 is amended to read:

17 6054. Any qualified voter in the proposed or existing district
18 may sign as many nomination papers as there are commissioners
19 to be elected.

20 At the first and any subsequent election for commissioners, all
21 candidates shall file their nomination papers with the county
22 elections official of the county, not more than 113 nor less than 88
23 days before the day of election.

24 SEC. 65. Section 6055 of the Harbors and Navigation Code
25 is amended to read:

26 6055. The commissioners elected at the first election shall,
27 within 10 days from the date of the canvass of the returns of the
28 election, enter upon the duties of office. Before entering upon the
29 duties of his or her office, each commissioner shall take and
30 subscribe the official oath before the secretary or any officer
31 authorized by law to administer oaths and shall file it with the
32 county elections official of the county in which the district is
33 situated.

34 They shall elect one of their number as president and one of their
35 number as secretary. The president and secretary shall serve during
36 the pleasure of the board.

37 SEC. 66. Section 6056 of the Harbors and Navigation Code
38 is amended to read:

39 6056. Each commissioner upon taking the oath of office, and
40 for each term, shall file with the county elections official of the

1 county in which the district is situated, a bond in the sum of five
2 thousand dollars (\$5,000), made payable to the district and
3 conditioned on the faithful performance of his *or her* duties; the
4 bonds are subject to approval by the board of supervisors of the
5 county.

6 SEC. 67. Section 6230 of the Harbors and Navigation Code
7 is amended to read:

8 6230. An election shall be held within 130 days of the call, to
9 determine whether the district shall be organized. The election
10 shall be conducted in conformity with the general election laws.
11 At the election the proposition shall be placed on the ballot,
12 permitting each voter to vote “yes” or “no.”

13 SEC. 68. Section 5053 of the Insurance Code is amended to
14 read:

15 5053. The duly executed articles of incorporation and a copy
16 of the certificate of the commissioner shall be filed with the
17 Secretary of State in conformity with Section 200 of the
18 Corporations Code. Upon organizing under the articles of
19 incorporation and obtaining from the commissioner a certificate
20 of authority, the county mutual fire insurer may carry on a fire
21 insurance business as provided by this chapter. The term and
22 nature of the certificate of authority, annual renewal fee therefor,
23 the due date and delinquent date of the fee shall be the same as
24 prescribed by Article 3 (commencing with Section 699) of Chapter
25 1 of Part 2 of Division 1 for stock and mutual insurers governed
26 by that article.

27 SEC. 69. Section 1170 of the Military and Veterans Code is
28 amended to read:

29 1170. As used in this chapter, unless the context otherwise
30 indicates:

31 (a) “District” means a memorial district organized under the
32 provisions of this chapter.

33 (b) “Board” means the board of directors of a memorial
34 district.

35 SEC. 70. Section 1174 of the Military and Veterans Code is
36 amended to read:

37 1174. The petition shall be addressed to the board of
38 supervisors of the county within which the proposed district is
39 situated, shall be signed by the number of qualified registered
40 voters specified in section 1173, and shall propose and set forth:

1 (a) The formation of a district under this chapter.

2 (b) The calling by the board of supervisors of a special election
3 to vote upon the question whether the proposed district shall be
4 formed and to elect the first board of directors of the district.

5 (c) The name of the proposed district, as “_____ memorial
6 district.”

7 (d) An accurate description of the boundaries of the proposed
8 district specifying what portion of the territory is incorporated
9 territory and what portion unincorporated territory.

10 SEC. 71. Section 1176 of the Military and Veterans Code is
11 amended to read:

12 1176. Within 30 days after the filing of the petition the county
13 elections official shall find and certify whether the petition is
14 signed by the requisite number of qualified registered voters of the
15 proposed district and of the incorporated and unincorporated
16 portions thereof and shall present the petition with the certificate
17 of his or her findings attached thereto to the board of supervisors
18 at its first regular meeting held 10 days from the date of
19 certification of the petition. The board shall fix a time and place
20 for the hearing of the petition not less than 20 days nor more than
21 40 days after the date of the meeting, and shall direct the clerk of
22 the board to publish a notice once a week for three successive
23 weeks in a newspaper circulated in the territory that it is proposed
24 to organize into a district, and that the board deems most likely to
25 give notice to the inhabitants of the territory.

26 SEC. 72. Section 1179 of the Military and Veterans Code is
27 amended to read:

28 1179. The special election shall be held upon a date not later
29 than the 130th day after the meeting of the board at which the
30 petition was presented. At the special election, the proposition
31 submitted shall be “Shall the proposed _____ memorial district be
32 formed?” There shall be elected at the same election a board of
33 directors consisting of five members.

34 SEC. 73. Section 1180 of the Military and Veterans Code is
35 amended to read:

36 1180. The special election shall be called, noticed, held, and
37 conducted, election officers appointed, voting precincts
38 designated, candidates nominated, ballots printed, polls opened
39 and closed, ballots counted and returned, returns canvassed,
40 results declared, certificates of election issued, oaths of office

1 administered, and all other proceedings incidental to and
2 connected with the election shall be regulated and done, in
3 accordance with the provisions of law regulating elections
4 conducted pursuant to the Uniform District Election Law (Part 4
5 (commencing with Section 10500) of Division 10 of the Elections
6 Code).

7 SEC. 74. Section 1181 of the Military and Veterans Code is
8 amended to read:

9 1181. For the purposes of this chapter the board of supervisors
10 and the county elections official, respectively, shall have all the
11 powers and duties that boards of trustees and city clerks have under
12 Section 1180 and the terms “city,” “municipal election,” “board
13 of trustees,” and “city clerk,” shall mean “proposed memorial
14 district,” “proposed memorial district election,” “board of
15 supervisors,” and “county clerk.”

16 SEC. 75. Section 1182 of the Military and Veterans Code is
17 amended to read:

18 1182. If a majority of the votes cast at the special election are
19 in favor of formation of the district, the county elections official
20 shall, within ten days after the board of supervisors has declared
21 the result thereof, record in the office of the county recorder a
22 complete certified copy of the statement of results entered on the
23 minutes of the board of supervisors in accordance with Section
24 1180, together with a complete certified copy of the petition for
25 formation of the district, except that the signatures on the petition
26 need not be certified and recorded.

27 SEC. 76. Section 1185 of the Military and Veterans Code is
28 amended to read:

29 1185. A district may be formed in the manner prescribed by
30 this article that is within an existing memorial district, if, in
31 addition to the petition required by Section 1173, there is filed with
32 the county elections official a verified copy of a resolution by the
33 board of the existing district consenting to the formation of the new
34 district.

35 SEC. 77. Section 1191 of the Military and Veterans Code is
36 amended to read:

37 1191. (a) Every district may do all of the following:

38 (1) Provide and maintain memorial halls, assembly halls,
39 buildings, or meetingplaces, together with suitable indoor and
40 outdoor park and recreation facilities, including swimming pools,

1 picnic areas, and playgrounds, for the use of persons or
2 organizations other than veterans, pursuant to paragraphs (8) and
3 (9), and veteran soldiers, sailors, and marines who have honorably
4 served the United States in any wars or campaigns recognized by
5 law for the purposes of Section 3 of Article XIII of the California
6 Constitution, or for the use of patriotic, fraternal, or benevolent
7 associations of those persons. However, no district shall provide
8 and maintain indoor and outdoor park and recreation facilities,
9 including swimming pools, picnic areas, and playgrounds, unless
10 these projects have been approved by a majority of the voters at
11 either the general district election or at a special election called for
12 that purpose. The question of whether the district shall provide and
13 maintain indoor and outdoor park and recreation facilities may be
14 submitted to the registered voters of the district by the board on its
15 own motion and shall be submitted by the board upon petition
16 signed by 8 percent of the registered voters of the district, at either
17 the general district election or at a special election called for that
18 purpose. If submitted at a special election, the election shall be
19 called, conducted, governed, and regulated in the same manner as
20 the general district election.

21 All plans for indoor and outdoor park and recreation facilities,
22 including swimming pools, picnic areas, and playgrounds, shall be
23 approved initially by the board of supervisors.

24 (2) Purchase, receive by donation, condemn, lease, or acquire
25 real or personal property necessary or convenient for the
26 construction or maintenance of halls, buildings, meetingplaces,
27 and facilities, and improve, preserve, manage, and control these
28 facilities.

29 (3) Purchase, construct, lease, build, furnish, or repair halls,
30 buildings, meetingplaces, and facilities upon sites owned or leased
31 by the district or made available to the district, and provide
32 custodians, employees, attendants, and supplies for the proper
33 maintenance, care, and management of those halls, buildings,
34 meetingplaces, and facilities.

35 (4) Furnish sites for halls, buildings, meetingplaces, or
36 facilities, to be built either by the district or by or for patriotic,
37 fraternal, or benevolent associations of veterans, if the funds for
38 these sites are supplied by the district or from other sources.

39 (5) Enter into agreements with county, municipal, school, park,
40 or other public authorities or agencies conveying, leasing, or



making available to the district, either gratuitously or for compensation, sites upon public land for the construction, maintenance, and management by the district of assembly or memorial halls, buildings, meetingplaces, or facilities, and construct and maintain on those sites halls, buildings, meetingplaces, or facilities.

(6) Sell or lease any district property to the highest responsible bidder, as determined by the board, except as provided by Section 1191.3. The board shall, prior to any sale, make a call for bids and advertise that call pursuant to Section 6062 of the Government Code in a newspaper of general circulation in the district, inviting sealed bids for the sale or lease of the property. The board may either accept the highest responsible bid or reject all bids. The board may require the successful bidder to file with the board good and sufficient undertaking to be approved by the board to insure faithful performance of the contract of sale or lease. No sale or lease shall be transacted, however, if a petition has been filed with the board requesting it not to enter into the sale or lease of the property.

The petition shall have affixed to it, as petitioners, the signatures, indicating place of residence and place of signing, of the registered voters of the district in a number equal to at least 10 percent of the votes cast in the district at the last preceding general election held in the state.

If the petition meets these requirements, as determined by the records of the county elections official for the county or counties in which the district is situated, the board either shall not convey the property or shall submit the matter to the registered voters of the district to be voted upon at the next primary or general election, or at a special election called for the purpose of ratifying or rejecting the action of the district to sell or lease the property.

(7) Sell or lease any district property to any political subdivision, or portion thereof, in which the district is situated for purposes of roads, streets, or highways, or for the improvement of roads, streets, or highways, without regard to the highest responsible bidder but otherwise meeting the petition requirements of paragraph (6).

(8) Adopt, from time to time, reasonable rules and regulations for the use of halls, buildings, meetingplaces, and facilities by veterans or by organizations of veterans, and to allow the halls,

1 buildings, meetingplaces, and facilities to be used for lawful
2 purposes consistent with the objects of this section by persons or
3 organizations other than veterans either free of charge or for stated
4 compensation to aid in defraying the cost of maintenance of the
5 facilities, if that use will not unduly interfere with the reasonable
6 use of the facilities by veterans' associations.

7 (9) Enter into a joint powers agreement for recreational or
8 senior citizens' services within the district.

9 (b) In conformance with this section, a district may provide
10 recreational facilities or services at any location within the district
11 regardless of the location of district-owned facilities. A district
12 may not increase its tax levy for the purpose of providing
13 recreational services for persons other than veterans unless that
14 increase is first approved by a majority of the registered voters of
15 the district who vote upon the proposal.

16 SEC. 78. Section 1255 of the Military and Veterans Code is
17 amended to read:

18 1255. Within 30 days after the filing of the petition the county
19 elections official shall find and certify whether the petition is
20 signed by the requisite number of qualified registered voters of the
21 territory proposed to be annexed and of the incorporated and
22 unincorporated portions thereof and shall present the petition with
23 the certificate of his or her findings attached thereto to the board
24 of supervisors at its first regular meeting held 10 days from the date
25 of certification of the petition. At the regular meeting the board
26 shall ascertain whether the petition in all respects complies with
27 the requirements therefor, except that the certificate shall be
28 conclusive evidence of the sufficiency of the signatures to the
29 petition. If the board finds that the petition complies with the
30 requirements, it shall at the same regular meeting fix a time and
31 place for the hearing of the petition not less than 20 days nor more
32 than 40 days after the date of the meeting, and shall direct the clerk
33 of the board to publish a notice once a week for three successive
34 weeks in a newspaper circulated in the territory that is proposed to
35 be annexed, and that the board deems most likely to give notice to
36 the inhabitants of the territory.

37 SEC. 79. Section 6005 of the Penal Code is amended to read:

38 6005. Whenever a person confined to a correctional
39 institution under the supervision of the Department of the Youth
40 Authority is charged with a public offense committed within the

1 confines of that institution and is tried for that public offense, the
2 appropriate financial officer or other designated official of a
3 county or the city finance officer of a city incurring any costs in
4 connection with that matter must make out a statement of all the
5 costs incurred by the county or city for the investigation, and the
6 preparation of the trial, and the actual trial of the case, and of all
7 guarding and keeping of the person, and of the execution of the
8 sentence of the person, properly certified to by a judge of the
9 superior court of the county. The statement shall be sent to the
10 department for its approval. After the approval the department
11 must cause the amount of the costs to be paid out of the money
12 appropriated for the support of the department to the county
13 treasurer of the county or the city finance officer of the city
14 incurring those costs.

15 SEC. 80. Section 1865 of the Probate Code is amended to
16 read:

17 1865. If the conservatee has been disqualified from voting
18 pursuant to Section 2208 or 2209 of the Elections Code, upon
19 termination of the conservatorship, the court shall notify the
20 county elections official of the county of residence of the former
21 conservatee that the former conservatee's right to register to vote
22 is restored.

23 SEC. 81. Section 4876 of the Public Resources Code is
24 repealed.

25 SEC. 82. Section 9977 of the Public Resources Code is
26 amended to read:

27 9977. At least 125 days prior to the day fixed for the general
28 district election, the secretary of the district shall deliver to the
29 county elections official a map and description of the boundaries
30 of the divisions from which directors shall be nominated. The
31 number designated shall equal the number of directors to be
32 elected at that election as determined in accordance with
33 subdivision (d) of Section 9975.

34 SEC. 83. Section 13021 of the Public Resources Code is
35 repealed.

36 SEC. 84. Section 11825 of the Public Utilities Code is
37 amended to read:

38 11825. Not more than 113 days prior to the election, upon
39 request, the county elections official of the principal county
40 containing the majority of the population of the ward from which

1 the candidate is seeking election shall issue nomination papers and
2 all other forms required for nomination to the office of director.

3 SEC. 85. Section 12816 of the Public Utilities Code is
4 amended to read:

5 12816. (a) At least 90 days prior to the election provided for
6 in Sections 12815 and 12815.1, notice of the election shall be
7 published within the district. Any voter or group of voters may
8 prepare and file with the county elections official of the county
9 containing the largest number of voters within the district an
10 argument for or against the proposition to be submitted. The
11 argument shall not be greater than 300 words in length. If more
12 than one argument for or more than one argument against the
13 proposition is filed within the time permitted the county elections
14 official shall select one of the arguments for printing. No more than
15 three signatures shall appear with any argument. The county
16 elections official of each county in the district shall mail, or cause
17 to be mailed, to each registered voter in that county in the district
18 one copy of the argument for and one copy of the argument against
19 the proposition. The arguments shall be mailed with the sample
20 ballot.

21 (b) Based on the time reasonably necessary to prepare and print
22 the arguments and sample ballots for the particular election, the
23 county elections official shall fix and determine a reasonable date
24 prior to the election after which no arguments for or against the
25 proposition may be submitted for printing and distribution to the
26 voters as provided in this section. Notice of the date fixed shall be
27 published by the county elections official pursuant to Section 6061
28 of the Government Code. Arguments may be changed up to and
29 including the date fixed by the county elections official.

30 SEC. 86. Section 15702 of the Public Utilities Code is
31 amended to read:

32 15702. Whenever the people of unincorporated territory
33 desire to organize a district, they shall present to the board of
34 supervisors of the county within which the territory is situated a
35 petition describing the territory, and signed by registered voters of
36 the territory equal in number to 15 percent of all votes cast for all
37 candidates for Governor within the same territory at the last
38 preceding general election at which a Governor was elected.

39 SEC. 87. Section 15703 of the Public Utilities Code is
40 amended to read:



1 15703. The petition may consist of any number of separate
2 instruments, all of which shall constitute one petition. A separate
3 petition is required from each unit of the proposed district. All
4 unincorporated territory participating in the proceedings and
5 situated in one county is a unit for purposes of the proceedings. No
6 registered voter within any one unit of the proposed district shall
7 sign a petition of any other unit of the proposed district.

8 SEC. 88. Section 15704 of the Public Utilities Code is
9 amended to read:

10 15704. Each petition shall name or describe the territory
11 within which the registered voters signing it reside. Every petition
12 shall set forth the boundaries and name of the proposed district,
13 which shall include the words “public utility district.” Every
14 petition shall contain a prayer that a public utility district
15 comprising all of the proposed territory, or any portions thereof as
16 are designated in the petitions as essential to its formation, be
17 incorporated pursuant to this division. Every registered voter
18 signing a petition shall write his *or her* address opposite his
19 signature.

20 SEC. 89. Section 15705 of the Public Utilities Code is
21 amended to read:

22 15705. The county elections official shall within 30 days
23 examine and verify the signatures to the petition and certify the
24 result of the examination to the board of supervisors.

25 SEC. 90. Section 15706 of the Public Utilities Code is
26 amended to read:

27 15706. If the county elections official, by his or her
28 certificate, finds that a petition is insufficient, he or she shall
29 certify to the number of additional signatures of qualified electors
30 required to make the petition sufficient, and the petition may be
31 amended by a supplemental petition filed within 10 days from the
32 date of the certificate. Within 10 days after a supplemental petition
33 has been filed, the county elections official shall examine it and
34 certify to the result of the examination. If this certificate shows the
35 petition as amended to be insufficient, it shall be filed by the
36 county elections official in his or her office and kept as a public
37 record, without prejudice to the filing of any other petition to the
38 same effect not less than six months thereafter. If the certificate
39 shows the petition or petition as amended to be sufficient, the
40 county elections official shall present it to the board of supervisors

1 without delay with his or her certificate attached and properly
2 dated.

3 SEC. 91. Section 15794 of the Public Utilities Code is
4 amended to read:

5 15794. The board of supervisors shall immediately deposit
6 one roll for filing in the office of the Secretary of State, and cause
7 the other roll to be recorded in the office of the recorder of each
8 county in which any part of the district is situated and filed in the
9 office of the county elections official of the county in which the
10 district, or the greater part of its population, is situated.

11 SEC. 92. Section 15796 of the Public Utilities Code is
12 amended to read:

13 15796. No charge shall be made by either the Secretary of
14 State or any county recorder or county elections official for the
15 services required of him or her under this article.

16 SEC. 93. Section 15842 of the Public Utilities Code is
17 amended to read:

18 15842. Verification deputies required to verify signatures to
19 petitions for the formation of a district, or to certificates or
20 petitions nominating candidates for election to the first board of
21 directors of newly formed districts, shall be appointed by the
22 county elections official of any county in which the territory of the
23 district is situated, and verification deputies required for any other
24 purpose after the formation of a district shall be appointed by the
25 clerk of the district.

26 SEC. 94. Section 15956 of the Public Utilities Code is
27 amended to read:

28 15956. Candidates for directors at large shall be designated in
29 all declarations of candidacy, nominating certificates, and on all
30 official election ballots as candidates for a particular directorship
31 at large, in accordance with the declarations of candidacy which
32 the candidates have filed with the county elections official or the
33 clerk of the district, as the case may be. Each office of director at
34 large shall be designated as “director at large” number one,
35 number two, number three, or number four, there being as many
36 numbers as there are directors at large to be elected.

37 SEC. 95. Section 26405 of the Public Utilities Code is
38 amended to read:

39 26405. The petition may include one or more separate
40 documents, but each document shall contain the affidavit of the



1 party who circulated it, certifying that each name signed thereto is
2 the true signature of the person whose name it purports to be. The
3 secretary of the district shall compare the signatures on the petition
4 with the affidavits of registration on file with the county elections
5 official and if he or she finds that the petition has been signed by
6 the required number of voters he or she shall attach his or her
7 signature thereto and present the petition to the board.

8 SEC. 96. Section 26654 of the Public Utilities Code is
9 amended to read:

10 26654. The secretary shall compare the signatures on the
11 petition with the affidavits of registration on file with the county
12 elections official and if he or she finds that the petition has been
13 signed by the required number of voters he or she shall attach his
14 or her signature thereto and present the petition to the board.

15 SEC. 97. Section 27405 of the Public Utilities Code is
16 amended to read:

17 27405. The secretary of the district shall compare the
18 signatures on the petition with the affidavits of registration on file
19 with the county elections official and shall certify to the board as
20 to the sufficiency or insufficiency of the petition.

21 SEC. 98. Section 27424 of the Public Utilities Code is
22 amended to read:

23 27424. The secretary of the district shall compare the
24 signatures with the affidavits of registration on file with the county
25 elections official and shall certify to the board as to the sufficiency
26 or insufficiency of the petition.

27 SEC. 99. Section 28746 of the Public Utilities Code is
28 amended to read:

29 28746. The resolution establishing the election districts shall
30 describe the boundaries of the election districts by reference to a
31 map or maps on file with the district secretary. Immediately upon
32 adoption of the resolution, the secretary shall file a certified copy
33 of the map or maps describing all nine election districts with the
34 Secretary of State and with the county elections official of each
35 county with territory within the boundaries of the district.

36 SEC. 100. Section 28747 of the Public Utilities Code is
37 amended to read:

38 28747. Each candidate for the board shall file a declaration of
39 candidacy in the form and manner prescribed in the Uniform
40 District Election Law (Part 4 (commencing with Section 10500))

1 of Division 10 of the Elections Code) with the county elections
2 official of the county in which the candidate resides. Candidates
3 for the board shall be residents and voters of the district and of the
4 geographical area making up the election district from which they
5 are to be elected.

6 SEC. 101. Section 28747.4 of the Public Utilities Code is
7 amended to read:

8 28747.4. The county elections official of each county within
9 the boundaries of the district shall conduct the election and canvass
10 the returns for those election districts or portions of election
11 districts which are within the county of his or her jurisdiction as
12 county elections official. After the official canvass has been taken,
13 the county elections official shall report the returns, by election
14 district number, to the board. The board shall declare the results of
15 the election. The secretary of the district shall issue certificates of
16 election, signed by him or her and duly authenticated, to each
17 candidate declared elected, immediately following determination
18 of the results of the election by the board.

19 SEC. 102. Section 28750.4 of the Public Utilities Code is
20 amended to read:

21 28750.4. The resolution reestablishing the election districts
22 shall describe the new boundaries of the election districts by
23 reference to a map or maps on file with the secretary of the district.
24 Immediately upon adoption of the resolution, the secretary shall
25 file a certified copy of the resolution and the map or maps
26 describing all election districts with the Secretary of State and with
27 the county elections official of each county with territory within
28 the boundaries of the district.

29 SEC. 103. Section 29664 of the Public Utilities Code is
30 amended to read:

31 29664. The secretary of the district shall compare the
32 signatures in the petition with the affidavits of registration on file
33 with the county elections official, and he shall certify to the board
34 as to the sufficiency or insufficiency of the petition.

35 SEC. 104. Section 29714 of the Public Utilities Code is
36 amended to read:

37 29714. The secretary of the district shall compare the
38 signatures with the affidavits of registration on file with the county
39 elections official, and shall certify to the board as to the sufficiency
40 or insufficiency of the petition.



1 SEC. 105. Section 31405 of the Public Utilities Code is
2 amended to read:

3 31405. Upon the filing in his or her office of the certificate of
4 proceedings, the Secretary of State shall, within 10 days, issue a
5 certificate, reciting the filing of those papers in his or her office and
6 the annexation of the corporate area of the city as of the date of the
7 election or the unincorporated county territory to the district. The
8 Secretary of State shall transmit the original of the certificate to the
9 secretary of the district and shall forward a certified copy thereof
10 to the county elections official of each county in which the district
11 or any portion thereof is situated.

12 SEC. 106. Section 31411 of the Public Utilities Code is
13 amended to read:

14 31411. Any city whose corporate area is a part of the district
15 and any county with regard to any unincorporated territory which
16 is a part of the district, may apply to the board of directors of the
17 district for consent to exclude the area from the district. The board
18 of directors may grant or deny the application and in granting the
19 same may fix the terms and conditions upon which a corporate area
20 of the city or the unincorporated county territory may be excluded
21 from the district. The terms and conditions shall include, without
22 limitation, exclusion of the city or unincorporated county territory,
23 as the case may be, from representation on the board or in an
24 advisory capacity to the board. The action of the board of directors
25 evidenced by resolution shall be promptly transmitted to the
26 governing body of the applying city or board of supervisors and
27 if the action shall grant consent to the exclusion the governing
28 body of the city or the board or supervisors of the county, as the
29 case may be, may submit to the electors of the city or the
30 unincorporated county territory at any general or special election
31 the proposition of excluding from the district the corporate area of
32 the city or the unincorporated county territory. Notice of the
33 election shall be given in the manner provided in Section 31402.
34 The election shall be conducted and the returns thereof canvassed
35 in the manner provided by law for the conduct of elections in the
36 city or county. In the event that the majority of the electors voting
37 thereon vote in the favor of the withdrawal, the result thereof shall
38 be certified by the governing body of the city or the board of
39 supervisors of the county to the board of directors of the district.
40 A certificate of the proceedings hereunder shall be made by the

1 secretary of the district and filed with the Secretary of State, and
2 upon the filing of the certificate the corporate area of the city or the
3 unincorporated county territory shall be excluded from the district,
4 and shall no longer be a part thereof; provided, however, that the
5 property within the city as the city shall exist at the time of the
6 exclusion, or within the unincorporated county territory shall
7 continue taxable pursuant to Section 30981. Upon the filing in his
8 or her office of the certificate of proceedings the Secretary of State
9 shall, within 10 days, issue a certificate, reciting the filing of the
10 papers in his or her office and the exclusion of the corporate area
11 of the city or the unincorporated county territory from the district.
12 The Secretary of State shall transmit the original of his *or her*
13 certificate to the secretary of the district and shall forward a
14 certified copy thereof to the county elections official of each
15 county in which the district or any portion thereof is situated.

16 SEC. 107. Section 50033 of the Public Utilities Code is
17 amended to read:

18 50033. The County Elections Official of the County of San
19 Joaquin shall compare the signatures to the petition with the
20 affidavits of registration and certify to their sufficiency or
21 insufficiency.

22 SEC. 108. Section 50039 of the Public Utilities Code is
23 amended to read:

24 50039. The election shall be called by publishing notice
25 calling the election pursuant to Section 6066 of the Government
26 Code not less than 20 days before the election. The notice need
27 only specify the time and place of the election, the hours during
28 which the polls will be open, the purpose of the election, and the
29 description of the exterior boundaries of the proposed district as
30 determined by the board of supervisors.

31 No notice of the election other than the notice prescribed by this
32 section need be given except that the county elections official shall
33 mail notice of ~~polling place and purpose of the~~ *polling place and*
34 *the purpose of the* election to each qualified elector of the proposed
35 district.

36 SEC. 109. Section 70033 of the Public Utilities Code is
37 amended to read:

38 70033. The County Elections Official of the County of Marin
39 shall compare the signatures to the petition with the affidavits of
40 registration and certify to their sufficiency or insufficiency.



1 SEC. 110. Section 90773 of the Public Utilities Code is
2 amended to read:

3 90773. The petition may include one or more separate
4 documents, but each document shall contain the affidavit of the
5 party who circulated it, certifying that each name signed thereto is
6 the true signature of the person whose name it purports to be. The
7 secretary of the district shall compare the signatures on the petition
8 with the affidavits of registration on file with the county elections
9 official and if he or she finds that the petition has been signed by
10 the required number of voters he or she shall attach his or her
11 signature thereto and present the petition to the board.

12 SEC. 111. Section 90933 of the Public Utilities Code is
13 amended to read:

14 90933. The secretary shall compare the signatures on the
15 petition with the affidavits of registration on file with the county
16 elections official and if he or she finds that the petition has been
17 signed by the required number of voters he or she shall attach his
18 or her signature thereto and present the petition to the board.

19 SEC. 112. Section 95163 of the Public Utilities Code is
20 amended to read:

21 95163. The County Elections Official of the County of Santa
22 Barbara shall compare the signatures to the petition with the
23 affidavits of registration and certify to their sufficiency or
24 insufficiency.

25 SEC. 113. Section 95194 of the Public Utilities Code is
26 amended to read:

27 95194. The election shall be called by publishing notice
28 calling the election pursuant to Section 6066 of the Government
29 Code not less than 20 days before the election. The notice need
30 only specify the time and place of the election, the hours during
31 which the polls will be open, the purpose of the election, and the
32 description of the exterior boundaries of the proposed district as
33 determined by the board of supervisors.

34 No notice of the election other than the notice prescribed by this
35 section need be given except that the county elections official shall
36 mail notice of ~~polling place and purpose of the polling place and~~
37 ~~the purpose of the~~ election to each qualified elector of the proposed
38 district.

39 SEC. 114. Section 98043 of the Public Utilities Code is
40 amended to read:

1 98043. The County Elections Official of the County of Santa
2 Cruz shall compare the signatures to the petition with the affidavits
3 of registration and certify to their sufficiency or insufficiency.

4 SEC. 115. Section 98100 of the Public Utilities Code is
5 amended to read:

6 98100. The district shall be governed by a board of directors
7 of seven members, which may be increased to 9 or 11 members if
8 the board finds that an increase in the membership of the board is
9 necessary to insure adequate representation to all of the areas in the
10 County of Santa Cruz served by the district. The membership shall
11 be composed of one member appointed by the City Council of
12 Santa Cruz, one member appointed by the City Council of
13 Capitola, one member appointed by the City Council of Scotts
14 Valley, one member appointed by the City Council of Watsonville,
15 one member appointed by the governing bodies of any other
16 incorporated areas in the county within the district to represent
17 those incorporated areas, one member appointed by the Board of
18 Supervisors of the County of Santa Cruz, and other members to be
19 appointed by the above entities in accordance with their
20 proportionate population within the district. However, the
21 membership of the board shall not exceed the number determined
22 by the board.

23 The apportionment shall be based upon the population
24 distribution within the district, and the board shall reapportion its
25 membership whenever any part of the district is excluded or new
26 territory is added or unincorporated territory within the district
27 incorporates, and, as a result of the exclusion, annexation, or
28 incorporation, representation on the board no longer reflects the
29 population distribution within the district. The board shall also
30 reapportion whenever the county elections official advises the
31 board that the latest official census indicates a need for
32 reapportionment.

33 SEC. 116. Section 101170 of the Public Utilities Code is
34 amended to read:

35 101170. The treasurer of the district, if one is appointed by the
36 board, shall give bond for the faithful performance of his or her
37 duties. The board may require any other officer to give a similar
38 bond. The amount of each bond shall be fixed by the board. All
39 bonds shall be approved by the board and shall be recorded in the

1 office of the county recorder and filed in the office of the clerk of
2 the district.

3 SEC. 117. Section 101285 of the Public Utilities Code is
4 amended to read:

5 101285. Whenever any petition signed by voters within the
6 district equal in number to at least 15 percent of the total vote cast
7 within the district at the last general statewide election is presented
8 to the board asking for the acquisition, construction, or completion
9 of the whole, or any portion, of any transit facilities or for
10 acquiring any works, lands, structures, rights, equipment, or other
11 property necessary or convenient to carry out the objects,
12 purposes, or powers of the district, and also asking that a bonded
13 indebtedness be incurred to pay for the cost thereof, the secretary
14 of the district shall forthwith transmit the petition to the county
15 elections official for certification.

16 SEC. 118. Section 101286 of the Public Utilities Code is
17 amended to read:

18 101286. Within 30 days after the receipt of the petition, the
19 county elections official shall examine the petition and determine
20 the number of valid signers thereof by comparing the signatures
21 thereon with the signatures of registered voters as appear on the
22 affidavits of voter registration on file with him or her. The county
23 elections official then shall certify to the secretary of the district
24 all the following:

25 (a) The total number of voters registered within the district at
26 the time of the last general statewide election immediately
27 preceding the filing of the petition.

28 (b) The total number of registered voters of the district who
29 have signed the petition.

30 (c) The percentage which the number of such signers bears to
31 the total number of voters registered to vote within the district at
32 such time.

33 SEC. 119. Section 101287 of the Public Utilities Code is
34 amended to read:

35 101287. If the county elections official certifies that the
36 percentage of registered voters signing the petition is less than that
37 required by Section 101284, a supplemental petition may be
38 presented to the secretary of the district within 30 days after the
39 county elections official's certification of the first petition. The

1 supplemental petition shall thereupon be processed as provided in
2 Sections 101284 and 101285.

3 SEC. 120. Section 101295 of the Public Utilities Code is
4 amended to read:

5 101295. If the ordinance calling the election so provides, the
6 election shall be conducted by the county elections official in
7 accord with the manner of holding the election prescribed by the
8 board pursuant to the provisions of Section 101289.

9 SEC. 121. Section 909 of the Streets and Highways Code is
10 amended to read:

11 909. No agreement entered into by the board of supervisors
12 for the purchase, hire, or rental of any apparatus used in the
13 construction, improvement, or maintenance of highways shall
14 create a charge against the county, unless the agreement complies
15 with all of the following:

16 (a) The agreement is in writing.

17 (b) The writing is signed by the chair of the board of
18 supervisors.

19 (c) A copy of the writing is certified by and filed with the clerk
20 of the board of supervisors.

21 All of these writings and copies are public documents.

22 If a county purchases, hires, or rents any apparatus specified
23 herein pursuant to a local purchasing ordinance, including
24 competitive bidding procedures, it does not have to comply with
25 subdivisions (a), (b), and (c) herein to create a charge against the
26 county. Compliance with the local purchasing ordinance shall be
27 sufficient to create a charge against the county for said purchase,
28 hire, or rental.

29 SEC. 122. Section 1181 of the Streets and Highways Code is
30 amended to read:

31 1181. The notice of election shall contain:

32 (a) The time and place of holding the election.

33 (b) The boundaries of the election districts. No election
34 precinct shall be partly in each of two or more districts.

35 (c) The names of three judges for each election district, to
36 conduct the election.

37 (d) The hours, which shall not be less than eight, during which
38 the polls will be open.



1 (e) The amount and denomination of the bonds, the rate of
2 interest, and the greatest number of years for which the
3 last-maturing bonds will run.

4 (f) The purpose for which the proceeds of the bonds are to be
5 used, including a brief description of the proposed work and the
6 materials to be used.

7 (g) The signature of the chair of the board, attested by the clerk
8 of the board of supervisors.

9 SEC. 123. Section 1186 of the Streets and Highways Code is
10 amended to read:

11 1186. The interest on the bonds shall be payable annually.
12 Each bond and each coupon shall bear the signature or facsimile
13 printed signature of the chair of the board and of the clerk of the
14 board of supervisors. The county treasurer shall, after reasonable
15 notice, sell the bonds to the highest and best bidder, but not for less
16 than par plus any accrued interest.

17 SEC. 124. Section 3111 of the Streets and Highways Code is
18 amended to read:

19 3111. On the original and on at least one copy of the map of
20 the district, the clerk of the legislative body shall endorse his or her
21 certificate evidencing the date and adoption of the resolution or
22 ordinance describing the proposed boundaries of the district. The
23 clerk of the legislative body shall file the original of the map in his
24 or her office and, within 15 days after the adoption of the resolution
25 or ordinance fixing the time and place of the hearing on the
26 formation or extent of the district and in no event later than 15 days
27 prior to the hearing, shall file a copy thereof with the county
28 recorder of each county in which all or any part of the proposed
29 district is located upon payment of the filing fee.

30 SEC. 125. Section 3112.5 of the Streets and Highways Code
31 is amended to read:

32 3112.5. The clerk of the board of supervisors of any county in
33 whose office maps of proposed districts are filed shall transmit the
34 maps to the county recorder, who shall receive the maps with the
35 same effect and manner as maps filed with the county recorder
36 pursuant to Section 3112.

37 SEC. 126. Section 3114 of the Streets and Highways Code is
38 amended to read:

39 3114. (a) This section applies only to assessment districts.

(b) After the confirmation by the legislative body of any assessment, the clerk of the legislative body shall file, in the office of the county recorder, a copy of the assessment diagram.

(c) The assessment diagram shall be prepared by the engineer responsible for engineering work. The assessment diagram shall be legibly drawn, and at least one copy shall be printed or reproduced by a process that provides a permanent record. Each sheet of paper or other material used for the permanent record map shall be 18 by 26 inches in size, shall clearly show the particular number of the sheet, the total number of sheets comprising the map, its relation to each adjoining sheet, and shall have encompassing its border a line that leaves a blank margin one inch in width.

The map shall be labeled substantially as follows: Assessment Diagram, (here insert name or number of district) Assessment District, (here insert city and name of county thereafter), State of California.

The map shall also have legends reading substantially as follows:

(1) Filed in the office of the (clerk of the legislative body), this ____ day of ____, 20__.

(Clerk of the legislative body)

(2) Recorded in the office of the (superintendent of streets) this ____ day of ____, 20__.

(Superintendent of Streets)

(3) An assessment was levied by the city council (or other appropriate legislative body) on the lots, pieces, and parcels of land shown on this assessment diagram. The assessment was levied on the ____ day of ____, 20__; the assessment diagram and the assessment roll were recorded in the office of the superintendent of streets of that city on the ____ day of ____, 20__. Reference is made to the assessment roll recorded in the office of the superintendent of streets for the exact amount of each assessment levied against each parcel of land shown on this assessment diagram.

(Clerk of the legislative body)

(4) Filed this ____ day of ____, 20__, at the hour of ____ o'clock _m. in Book ____ of Maps of Assessment and Community Facilities Districts at page ____, in the office of the county recorder of the County of ____, State of California.

(County Recorder of County of _____)

(d) The clerk of the legislative body shall file a copy of the assessment diagram referred to in subdivision (c) in the office of the county recorder of the county in which all or any part of the assessment district shown on the assessment diagram is located upon payment of the filing fee. The filing of the assessment diagram shall be made by the clerk of the legislative body.

(e) The county recorder shall endorse upon the assessment diagram filed with him or her, pursuant to subdivision (d), the time and date of filing and shall fasten it securely in the “Book of Maps of Assessment and Community Facilities Districts” in which the county recorder is obligated to keep boundary maps under Section 3112. The county recorder shall cross-index the assessment diagram by reference to the city conducting the proceedings and by reference to the page of the book of maps of assessment and community facilities districts in which the boundary map of the district was filed in the book.

(f) After the confirmation by the legislative body of any assessment and the recording of the assessment and diagram in the office of the street superintendent or other officer of the city in whose office the assessment and diagram have been recorded, the clerk of the legislative body shall execute and record a notice of assessment in the office of the county recorder of each county in which all or any part of the assessment district is located. The notice of assessment shall be in substantially the following form:

NOTICE OF ASSESSMENT

Pursuant to the requirements of Section 3114 of the Streets and Highways Code, the undersigned clerk of the legislative body of ____, State of California, hereby gives notice that a diagram and

1 assessment were recorded in the office of the _____ of that city as
2 provided for in Section 3114 of the Streets and Highways Code,
3 and relating to the following described real property:

4 (The real property in the assessment district may be described
5 by: (a) stating its exterior boundaries; or (b) describing the
6 property according to any official or recorded map; or (c) referring
7 to the assessment diagram filed in accordance with subdivisions
8 (d) and (e) of Section 3114 and the book and page number in the
9 office of the county recorder of the filed plat or map.)

10 Notice is further given that upon the recording of this notice in
11 the office of the county recorder, the several assessments assessed
12 on the lots, pieces, and parcels shown on the filed assessment
13 diagram shall become a lien upon the lots or portions of lots
14 assessed, respectively.

15 Reference is made to the assessment diagram and assessment
16 roll recorded in the office of the _____ of that city.

17 Dated: _____

18 _____
19
20
21 If the assessment district is located in two or more counties, the
22 assessment notice, in lieu of the paragraph following the
23 description of the property, shall state:

24
25 Notice is further given that the above-described real property is
26 located in the Counties of _____ and _____ and upon the recording
27 of this notice in the office of the county recorder of all those
28 counties, effective upon the date of the last recording, the several
29 assessments on the lots, pieces, and parcels shown on the filed
30 assessment diagram shall become a lien upon the lots or portions
31 of lots assessed, respectively.

32 SEC. 127. Section 5026 of the Streets and Highways Code is
33 amended to read:

34 5026. The legislative body of a county, city or city and county,
35 may by resolution adopt a name for any street, boulevard, park or
36 place which is to be improved under this division, for which a
37 name has not been provided under the provisions of Sections 970.5
38 and 971, or otherwise, and may by resolution change the name of
39 any street, boulevard, park or place heretofore established;
40 provided further, that a copy of the resolution or order providing

1 for the new name or change of name made by any city shall be
2 promptly forwarded by the city clerk to the clerk of the board of
3 supervisors and county surveyor of the county in which the
4 municipality is situated.

5 SEC. 128. Section 8653 of the Streets and Highways Code is
6 amended to read:

7 8653. The bonds shall be signed by the treasurer and the clerk
8 of the legislative body. However, the legislative body may by order
9 authorize the use upon the bonds of an engraved, printed, or
10 lithographed signature of the treasurer and the clerk of the
11 legislative body in place of a signature by hand. It may also
12 authorize the seal to be placed in like manner on the bonds.

13 SEC. 129. Section 9019 of the Streets and Highways Code is
14 amended to read:

15 9019. "Clerk" means:

16 (a) When used with reference to a county, the clerk of the board
17 of supervisors.

18 (b) When used with reference to a city, the person who is or acts
19 as clerk of the legislative body of the city.

20 SEC. 130. Section 11302 of the Streets and Highways Code
21 is amended to read:

22 11302. A copy of the resolution shall be mailed, not less than
23 45 days prior to the hearing to each person to whom any of the
24 following described lands is assessed as shown on the last
25 equalized assessment roll, at his or her address as shown upon that
26 roll, and to any person, whether owner in fee or having a lien upon,
27 or legal or equitable interest in, any of those lands whose name and
28 address and a designation of the land in which he or she is
29 interested is on file in the office of the city clerk or clerk of the
30 board of supervisors, as the case may be. Those lands are as
31 follows:

32 (a) All parcels of land abutting upon any portion of the
33 pedestrian mall or any portion of any intersecting street.

34 (b) If assessments are to be levied as contemplated by Section
35 11202, then the notice procedures shall comply with Section
36 53753 of the Government Code.

37 The legislative body may determine that the resolution shall also
38 be mailed to other persons as it may specify.

39 SEC. 131. Section 19090 of the Streets and Highways Code
40 is amended to read:

1 19090. Within 30 days after acquiring jurisdiction to proceed,
2 the board of supervisors shall by resolution order that an election
3 be held in the proposed district to determine whether or not the
4 district shall be formed. The board may establish one or more
5 voting precincts within the district and appoint one inspector, one
6 judge, and two clerks residing in the district for each voting
7 precinct to conduct the election, which shall be held on the next
8 established election date not less than 130 days after the date of the
9 resolution ordering it to be held.

10 SEC. 132. Section 19092 of the Streets and Highways Code
11 is amended to read:

12 19092. The election shall be conducted in accordance with the
13 general election laws of this state, where applicable. The ballots
14 shall contain the words, “For lighting district,” and “Against
15 lighting district,” and the voter shall mark his or her ballot in the
16 space provided for that purpose, in accordance with the general
17 election laws of this state.

18 SEC. 133. Section 19093 of the Streets and Highways Code
19 is amended to read:

20 19093. Every registered voter in the jurisdiction shall be
21 entitled to vote at this election.

22 SEC. 134. Section 19094 of the Streets and Highways Code
23 is amended to read:

24 19094. The precinct boards shall canvass the votes in
25 accordance with the general laws of this state. The board of
26 supervisors may order the county elections official to conduct the
27 official canvass within seven days subsequent to the holding of the
28 election.

29 SEC. 135. Section 25206 of the Streets and Highways Code
30 is amended to read:

31 25206. The matter may be submitted at a special election
32 called for that purpose or may be consolidated with any other
33 election involving the entire county. All laws governing county
34 elections shall apply to the election in so far as they may be
35 applicable. The notice of election, in addition to the matters
36 otherwise required, shall refer to the report of the project, a copy
37 of which shall be on file in the office of the county elections
38 official.

39 SEC. 136. Section 27044 of the Streets and Highways Code
40 is amended to read:

1 27044. The copies of the petition from each county shall be
2 grouped or fastened together and submitted to the county elections
3 official of that county for examination and verification. The
4 county elections official shall have 30 days' time for the
5 examination of the copies of the petition left with him or her for
6 verification. Within that period of time he or she shall verify each
7 of the signatures on the copies of the petition left with him or her,
8 attach thereto his or her certificate that the copies of the petition
9 have been signed by the requisite number of registered voters and
10 forward the copies of the petition with his or her certificate
11 attached to the Secretary of State.

12 SEC. 137. Section 27045 of the Streets and Highways Code
13 is amended to read:

14 27045. If the county elections official finds that the copies of
15 the petition are not signed by the requisite number of registered
16 voters residing within the county he or she shall certify to the
17 number of registered voters required to make the petition
18 sufficient. Within 20 days from the date of that certificate, copies
19 of the petition containing additional signatures secured either by
20 the same persons theretofore appointed to secure signatures; or by
21 other persons appointed by the board of supervisors for that
22 purpose may be filed with the county elections official.

23 SEC. 138. Section 27046 of the Streets and Highways Code
24 is amended to read:

25 27046. The county elections official shall within 30 days after
26 the filing of the supplemental copies of the petition examine and
27 verify each of the signatures thereon and certify to the result of the
28 examination as he or she did in connection with the original copies
29 of the petition.

30 SEC. 139. Section 27047 of the Streets and Highways Code
31 is amended to read:

32 27047. If the petition as supplemented contains a sufficient
33 number of signatures the county elections official shall present it
34 with ~~his~~ *the* certificate to that effect attached to the Secretary of
35 State without delay.

36 SEC. 140. Section 27048 of the Streets and Highways Code
37 is amended to read:

38 27048. If the certificate of the county elections official shows
39 that any petition as originally filed or as supplemented is
40 insufficient he or she shall so certify and the petition with the

1 certificate attached shall be filed with the Secretary of State and
2 kept by the Secretary of State as a public record, without prejudice
3 however, to the filing of a new petition to the same effect.

4 SEC. 141. Section 27062 of the Streets and Highways Code
5 is amended to read:

6 27062. The election shall be called and held in accordance
7 with the Uniform District Election Law (Part 4 (commencing with
8 Section 10500) of Division 10 of the Elections Code).

9 SEC. 142. Section 27063 of the Streets and Highways Code
10 is amended to read:

11 27063. The county elections official shall certify the results of
12 the election to the Secretary of State together with a copy of the
13 action of the board of supervisors calling the election.

14 SEC. 143. Section 27080 of the Streets and Highways Code
15 is amended to read:

16 27080. If, within 120 days after application is made to it the
17 board of supervisors of any county named in the petitions from
18 other counties engaged in the formation of the district fails to adopt
19 an ordinance of intention to unite with the other counties in the
20 formation of the district, and no proceedings for the adoption of
21 an ordinance under the provisions of law relating to the initiative
22 are on file with the county elections official, the county elections
23 official shall upon receipt of an affidavit of an elector of the county,
24 setting forth: (a) The date the original application was made to the
25 board of supervisors and (b) the failure of that body to act thereon
26 for 60 days thereafter, issue a certificate to the Secretary of State
27 certifying that on the date of the issuing thereof no proceedings
28 have been filed in his or her office to submit an ordinance to the
29 electors under the provisions applicable to the initiative. The
30 county elections official shall immediately transmit the certificate
31 and affidavit to the Secretary of State.

32 SEC. 144. Section 27082 of the Streets and Highways Code
33 is amended to read:

34 27082. If an ordinance declaring it to be the intention of a
35 county to become part of the district has been submitted to the
36 people and has failed of adoption ~~of adoption to be adopted~~, that fact shall be
37 certified to the Secretary of State by the county elections official,
38 and that county shall be excluded from the district.

39 SEC. 145. Section 27100 of the Streets and Highways Code
40 is amended to read:

1 27100. When all of the petitions, or certifications of the result
2 of elections have been received from the county elections ~~official~~
3 *officials* of the counties having any portion of their territory within
4 the boundaries of the proposed district the Secretary of State shall
5 publish the text of the petition, together with a notice fixing the
6 time within which protests against the inclusion of property within
7 the proposed district may be filed.

8 SEC. 146. Section 27102 of the Streets and Highways Code
9 is amended to read:

10 27102. Neither the names attached to the petition, nor the
11 certificates of any of the county elections officials, need be
12 published with the petition. It shall be sufficient to state that the
13 petition has been signed by a certain number of electors, naming
14 it, and duly verified by the county elections official of the county
15 in which the petition was circulated.

16 SEC. 147. Section 27109 of the Streets and Highways Code
17 is amended to read:

18 27109. After the judgment of the court has become final the
19 county elections official shall certify the judgment together with
20 the petition and the protests which he or she received, to the
21 Secretary of State.

22 SEC. 148. Section 27123 of the Streets and Highways Code
23 is amended to read:

24 27123. Those directors appointed by the board of supervisors
25 of a county shall be appointed by resolution of the board of
26 supervisors, and a copy of the resolution shall be filed with the
27 clerk of the board of supervisors, and a certified copy of the
28 resolution shall be immediately forwarded to the Department of
29 Transportation.

30 SEC. 149. Section 27322 of the Streets and Highways Code
31 is amended to read:

32 27322. If the board consents to the annexation after any
33 bonded debt of this district has been authorized, the board of
34 supervisors so applying for annexation shall call an election at
35 which the proposition to join the district and assume the obligation
36 of the bonds of the district along with the territory already included
37 therein, shall be submitted to the electors of the county or portion
38 thereof as one proposition. Unless the proposition receives
39 two-thirds of the vote cast at the election the county or part thereof
40 shall not be annexed to the district. If the proposition carries by

1 two-thirds or more of the votes cast at the election the result of the
2 election shall be certified to the Secretary of State by the county
3 elections official ~~of the county~~ and thereupon the Secretary of
4 State shall give notice and call for protests in the same manner as
5 upon the original incorporation of the district.

6 SEC. 150. Section 9368 of the Water Code is amended to read:

7 9368. Affidavits of publication and posting of the notices
8 shall be filed with the county elections official of the county in
9 which the notices have been posted or published, together with a
10 copy of the order calling the election certified to by the secretary
11 or assistant secretary of the board.

12 SEC. 151. Section 9386 of the Water Code is amended to read:

13 9386. At the close of the polls the board of election shall
14 deliver to the elections official all ballots, voting lists, lists of
15 ballots cast at the election, and all documents and paper used at the
16 election. The county elections official shall do both of the
17 following:

18 (a) Proceed to canvass the votes and declare the result.

19 (b) Prepare a certificate showing the result and the number of
20 votes cast for and against the issuing of bonds to the board.

21 SEC. 152. Section 20740 of the Water Code is amended to
22 read:

23 20740. The petition and a notice of the time of the meeting at
24 which it will be presented shall be published for at least two weeks
25 before the time at which it is to be presented. Publication shall be
26 in a newspaper of general circulation printed and published in the
27 principal county and in a newspaper published in each other
28 affected county. The notice shall be signed by the county elections
29 official of the principal county.

30 SEC. 153. Section 20911 of the Water Code is amended to
31 read:

32 20911. The precinct board for the formation election shall be
33 appointed, candidates for the offices of the proposed district shall
34 be nominated, ballots and other supplies shall be provided and the
35 election shall be conducted as nearly as practicable in accordance
36 with the provisions concerning general elections except as to:

37 (a) Notice of the election.

38 (b) Nominating petitions, which may be filed with the clerk of
39 the board of supervisors not less than 15 days before the election.

1 (c) Mailing of sample ballots, which mailing to each voter
2 entitled to vote at the election, as determined by the county
3 elections official, shall be completed at least three whole days
4 before the election.

5 (d) Other inconsistent provisions in this chapter.

6 SEC. 154. Section 22970.10 of the Water Code is amended to
7 read:

8 22970.10. The governing body shall certify the two
9 candidates who receive the highest number of votes for the elective
10 office to the county elections official as the candidates in the runoff
11 election.

12 SEC. 155. Section 22970.20 of the Water Code is amended to
13 read:

14 22970.20. Not less than seven days before any runoff election,
15 any voter entitled to vote by absent voter ballot as provided in
16 Section 23531 may file with the county elections official, either in
17 person or by mail, his or her written application for an absent
18 voter's ballot. Absent voting shall be conducted in accordance
19 with the provisions of Section 23531.

20 SEC. 156. Section 22970.25 of the Water Code is amended to
21 read:

22 22970.25. The county elections official shall commence the
23 canvass of the returns on the first Wednesday after each runoff
24 election.

25 SEC. 157. Section 30061 of the Water Code is repealed.

26 SEC. 158. Section 30230 of the Water Code is amended to
27 read:

28 30230. The county elections official of the county containing
29 the proposed district shall publish a notice of a hearing on the
30 formation petition once a week for at least two weeks before the
31 time when the petition is to be presented and considered in at least
32 one, but not to exceed three, newspapers printed and published in
33 the county.

34 SEC. 159. Section 30778 of the Water Code is amended to
35 read:

36 30778. The county elections official shall cause the ballots to
37 be printed, bound, and numbered as provided in the Elections
38 Code, except as otherwise required in this division.

39 SEC. 160. Section 31133 of the Water Code is amended to
40 read:

1 31133. Notwithstanding any other provision of law, the
2 Malaga County Water District may:

3 (a) Organize, promote, conduct, and advertise programs of
4 community recreation;

5 (b) Establish systems of recreation and recreation centers,
6 including parks and parkways.

7 (c) Acquire, construct, improve, maintain and operate
8 recreation centers within the district.

9 The district shall not incur a bonded indebtedness for the
10 purposes authorized by this section exceeding 1 percent of the
11 assessed value of all the taxable property in the district, and no
12 bonded indebtedness shall be incurred except for capital outlay
13 purposes.

14 The district shall not exercise any powers under this section
15 unless the exercise of those powers is approved by the voters of the
16 district at an election held within the district at which a majority
17 of the voters voting on the proposition approve the exercise of
18 those powers. The election may be consolidated with any other
19 election held within the district. If a majority of the votes cast at
20 the election is in favor of the proposition, the county elections
21 official shall immediately cause to be filed with the Secretary of
22 State a certificate reciting that fact. If the voters of the district do
23 not approve the exercise of any of those powers at an election held
24 prior to January 1, 1974, this section shall become inoperative on
25 that date and shall have no further force or effect.

26 SEC. 161. Section 34053 of the Water Code is amended to
27 read:

28 34053. No supervisor, auditor, or county elections official of
29 any county shall receive any fee for any service required to be
30 performed by him or her under the provisions of this division
31 provided, however, that the county elections official shall be
32 compensated for the expense of the conduct of the election.

33 SEC. 162. Section 35005 of the Water Code is amended to
34 read:

35 35005. No appointment of a proxy shall be valid, accepted, or
36 vote allowed thereon at any district election unless it meets all of
37 the following requirements:

38 (a) It is in writing.

1 (b) It is executed by the person or legal representative of the
2 person who, in accordance with the provisions of Sections 35003
3 or 35003.1 is entitled to the votes for which the proxy is given.

4 (c) It is acknowledged or certified in accordance with Section
5 2015.5 of the Code of Civil Procedure.

6 (d) It specifies the election at which it is to be used. An
7 appointment of a proxy shall be used only at the election specified.

8 (e) It shall be on a form as specified by the county elections
9 official meeting the above requirements.

10 Every appointment of a proxy is revocable at the pleasure of the
11 person executing it at any time before the person appointed as
12 proxy shall have cast a ballot representing the votes for which the
13 appointment was given.

14 SEC. 163. Section 35048 of the Water Code is amended to
15 read:

16 35048. The petition shall be filed with the county elections
17 official of the principal county at least six months prior to the date
18 of the next general district election.

19 SEC. 164. Section 35049 of the Water Code is amended to
20 read:

21 35049. The signatures to the petition shall be verified as
22 follows:

23 (a) If the district is wholly in one county, the county elections
24 official shall examine the signatures and from the records of
25 registration ascertain whether or not the petition is signed by the
26 requisite number of registered voters.

27 (b) If the district is situated in more than one county, each
28 county elections official shall examine that portion of the petition
29 bearing signatures obtained in that county and from the records of
30 registration ascertain the number of signatures of registered voters
31 in that portion of the district lying in that county. The county
32 elections official of a county other than the principal county shall
33 prepare a certificate, and file the same with the county elections
34 official of the principal county, showing the number of valid
35 signatures of registered voters in that county who signed the
36 petition, and shall also show the total number of registered voters
37 in that county within the district on the date of filing the petition.

38 (c) The county elections official of the principal county shall
39 attach to the petition a certificate showing the total number of valid

1 signatures thereon, and the total number of registered voters within
2 the district as of the date of filing the petition.

3 SEC. 165. Section 35050 of the Water Code is amended to
4 read:

5 35050. If the number of signatures is not sufficient, a
6 supplemental petition, in the form of a duplicate petition, but
7 bearing additional signatures, may be filed with the county
8 elections official of the principal county within 10 days from the
9 date on which the county elections official of the principal county
10 certified the results of the examination. The supplemental petition
11 shall be verified in the same manner as the original petition. If the
12 signatures on the petition are still insufficient, no action shall be
13 taken thereon. The petition shall remain on file as a public record
14 and failure to secure sufficient signatures shall not prejudice the
15 later filing of an entirely new petition.

16 SEC. 166. Section 35051 of the Water Code is amended to
17 read:

18 35051. If the petition contains at least 25 valid signatures and
19 if the total number of valid signatures on the petition constitutes
20 25 percent or more of the registered voters within the district as of
21 the date of filing the petition, the county elections official of the
22 principal county shall prepare a certificate to that effect, attach the
23 same to the petition, and deliver, by mail or personal delivery, the
24 petition and the certificate to the secretary of the district.

25 SEC. 167. Section 35052 of the Water Code is amended to
26 read:

27 35052. At the next regular meeting following the delivery by
28 the county elections official of the petition and the certificate to the
29 secretary of the district, the board of directors shall adopt a
30 resolution reciting the delivery of the petition and certificate and
31 specifying that all future elections in the district shall be conducted
32 as a resident voting district, rather than a landowner voting district.

33 SEC. 168. Section 35053 of the Water Code is amended to
34 read:

35 35053. The secretary of the district shall file with the county
36 elections official of each county in which any portion of the district
37 is located, a certified copy of the resolution. The secretary shall
38 cause a copy of the resolution to be published once a week for three
39 successive weeks in a newspaper of general circulation used for the
40 publication of district notices.

1 SEC. 169. Section 41303 of the Water Code is amended to
2 read:

3 41303. Affidavits of the publication and posting of the
4 election notices shall be filed with the county elections official of
5 each affected county, together with a copy of the order calling the
6 election, certified by the president, and duplicates shall be filed
7 with the board.

8 SEC. 170. Section 45274 of the Water Code is amended to
9 read:

10 45274. The board of election shall deliver a certificate
11 showing the result and the number of votes cast for and against the
12 issuing of the bonds to the county elections official of ~~the office~~
13 *each* county, and a duplicate to the board of directors.

14 SEC. 171. Section 45275 of the Water Code is amended to
15 read:

16 45275. The board of election shall deliver to the county
17 elections official of each county all ballots cast at the election
18 within that county and all documents and papers used at the
19 election.

20 SEC. 172. Section 45276 of the Water Code is amended to
21 read:

22 45276. The county elections officials of the respective
23 counties shall immediately upon receipt of the ballots, papers, and
24 documents from the board of election certify to the board of
25 directors at its office a statement of the result of the election held
26 in each of the counties with a statement of the number of votes for
27 the proposition of “Bonds—Yes” and opposed “Bonds—No.”

28 SEC. 173. Section 50752 of the Water Code is amended to
29 read:

30 50752. The election board shall canvass the votes cast and
31 issue certificates of election to the persons elected, and shall place
32 the ballots, when canvassed, in a sealed envelope and forward it
33 to the county elections official.

34 SEC. 174. Section 50805 of the Water Code is amended to
35 read:

36 50805. An affidavit of the publication and posting of the
37 notice shall be filed with the county elections official, with a copy
38 of the order calling the election which is certified by the president.

39 SEC. 175. Section 50816 of the Water Code is amended to
40 read:

1 50816. At the close of the polls the election board shall:

2 (a) Immediately canvass the votes and declare the result.

3 (b) Forward a certificate showing the result and the number of
4 votes cast for and against the issuing of bonds or refunding bonds
5 to the county elections official.

6 (c) Deliver a copy of the certificate to the board.

7 (d) Deliver all ballots cast and all documents and papers used
8 at the election to the county elections official.

9 SEC. 176. Section 50817 of the Water Code is amended to
10 read:

11 50817. Any interested person may contest a special election
12 within 20 days after the filing of the certificate with the county
13 elections official by bringing suit in the superior court of the
14 principal county. Unless contested, the declaration of the result by
15 the election board is final and conclusive.

16 SEC. 177. Section 50954 of the Water Code is amended to
17 read:

18 50954. The clerk shall receive for his or her services a yearly
19 sum equal to one and one-half cents (\$0.015) per acre based on the
20 net acreage of the district as indicated by the records of the district,
21 or, if the net acreage is not obtainable from the records of the
22 district, based upon the records of the county elections official or,
23 if the district has outstanding bonds it shall pay the clerk three cents
24 (\$0.03) per acre.

25 SEC. 178. Section 60049 of the Water Code is repealed.

26 SEC. 179. Section 60080 of the Water Code is amended to
27 read:

28 60080. A petition, which may consist of any number of
29 separate instruments, shall be filed with the county elections
30 official of the principal county in which the proposed water
31 replenishment district is located, signed by registered voters
32 residing within the boundaries of the proposed district equal in
33 number to at least 10 percent of the number of the voters residing
34 within the proposed district; provided, that where the proposed
35 district is situated partly in different counties, the petition must be
36 signed by at least 10 percent of the voters of each area situated
37 within each county, and each petition shall clearly designate in
38 which affected county it was circulated, and each petition shall
39 contain names only of the voters of the affected county in which
40 the petition was circulated.

1 SEC. 180. Section 60082 of the Water Code is amended to
2 read:

3 60082. If the proposed district is situated in more than one
4 county, the county elections official of the principal county shall
5 immediately transmit to the county elections officials of the
6 participating counties the petitions containing the signatures of the
7 voters of each participating county.

8 SEC. 181. Section 60083 of the Water Code is amended to
9 read:

10 60083. Within 30 days of the date of filing the petition with
11 the county elections official of the principal county, the county
12 elections officials of the affected counties shall examine the
13 petition and ascertain whether or not the petition is signed by the
14 requisite number of voters within the county. When the county
15 elections officials of the affected counties have completed their
16 examination of the petition, they shall each attach to the petition
17 their certificates, properly dated, showing the results of the
18 examination, and if from the examination they shall find that the
19 petition is signed by the requisite number of voters residing within
20 the boundaries of that portion of the proposed district within the
21 affected county, or is not so signed, they shall certify the petition
22 as sufficient or insufficient, as the case may be, and the certificates
23 shall forthwith be transmitted to the county elections official of the
24 principal county.

25 SEC. 182. Section 60095 of the Water Code is amended to
26 read:

27 60095. If the certificates of the county elections officials of
28 each affected county as filed with the county elections official of
29 the principal county show the petition to be sufficient, the county
30 elections official of the principal county shall present the petition,
31 together with the certificates of the county elections officials of the
32 affected counties to the board of supervisors of the principal
33 county.

34 SEC. 183. Section 60211 of the Water Code is amended to
35 read:

36 60211. No person shall vote at any district election held under
37 the provisions of this act who is not a voter within the meaning of
38 the Elections Code, residing in the division of the district in which
39 he or she casts his or her vote. For the purpose of registering voters
40 who shall be entitled to vote at district elections, the county

1 elections official is authorized, in any county in which there is a
2 district, to indicate upon the affidavit of registration whether the
3 voter is a voter of a district.

4 SEC. 184. Section 60212 of the Water Code is amended to
5 read:

6 60212. In case the boundary line of a district crosses the
7 boundary line of a county election precinct only those voters
8 within the district and within the precinct who are registered as
9 being voters within the district shall be permitted to vote, and for
10 that purpose the county elections official may provide two sets of
11 ballots within those precincts, one containing the names of
12 candidates for office in the district, and the other not containing
13 those names, and it shall be the duty of the election officers in those
14 precincts to furnish only those persons registered as voters within
15 the district with the ballots upon which are printed the names of the
16 candidates for office in the district.

17 SEC. 185. Section 60213 of the Water Code is amended to
18 read:

19 60213. In counties in which districts are located the county
20 elections official is hereby given authority, and is authorized to
21 have printed upon the official ballots provided for voters at
22 elections for directors a heading in the same form as that provided
23 by the Elections Code for nonpartisan officers, which heading
24 shall be marked "Water Replenishment District," with a
25 subheading "For a Member of the Board of Directors, Division
26 ____ (here inserting the number of the division)—Vote for One,"
27 and beneath which shall appear the names of the candidates for the
28 office of member of the board for the division of the district, with
29 the appropriate blank space for the writing in of the name of a
30 candidate if desired by the voters, and with a voting square placed
31 opposite the space. The ballots thus provided shall be furnished by
32 the precinct officers only to those voters within their respective
33 precincts who shall appear on the register as duly registered voters
34 within that division of the district, and in precincts that lie partly
35 within that district and partly without the precinct board shall be
36 supplied with two kinds of ballots by the county elections official,
37 one of which shall contain the matters hereinabove set forth for the
38 use of voters of the district, and the other of which shall be without
39 the heading containing the names of candidates for the office of



1 member of the board, and which shall be furnished to those voters
2 who are not voters of the district and who are voters of the precinct.

3 SEC. 186. Section 60430 of the Water Code is amended to
4 read:

5 60430. A petition may be filed with the county elections
6 official of the principal county in which the district is located,
7 signed by at least 25 percent of the voters of the district applying
8 for disorganization and disincorporation of the district, and briefly
9 stating the reasons therefor.

10 SEC. 187. Section 60431 of the Water Code is amended to
11 read:

12 60431. Upon the filing of a petition the county elections
13 official shall examine the petition within 30 days and ascertain
14 whether or not the petition is signed by the requisite number of
15 voters.

16 SEC. 188. Section 60434 of the Water Code is amended to
17 read:

18 60434. If by the certificate of the county elections official the
19 petition is shown to be sufficient, the county elections official of
20 the principal county shall present the petition to the board of
21 supervisors of the principal county without delay. When the
22 petition is presented by the county elections official, the board of
23 supervisors shall give notice of an election to be held in the district
24 for the purpose of determining whether or not the petition shall be
25 disincorporated and dissolved; provided, however, that in the
26 event the district shall have issued bonds, the board of supervisors
27 shall not consider the petition or take any action hereunder until
28 evidence shall be furnished showing the bonds to have been fully
29 satisfied.

30 SEC. 189. Section 60440 of the Water Code is amended to
31 read:

32 60440. The board of supervisors shall in case the district is
33 disincorporated, forthwith cause its county elections official to
34 make and transmit to the Secretary of State a certified copy of the
35 notice of election hereinbefore provided for, and a statement of the
36 number of voters voting against the disincorporation.

37 SEC. 190. Section 70033 of the Water Code is amended to
38 read:

39 70033. The county elections official of the county containing
40 the proposed district shall publish notice of a hearing on the

1 formation petition pursuant to Section 6066 of the Government
2 Code.

3 SEC. 191. Section 70041 of the Water Code is amended to
4 read:

5 70041. The notice of the formation election shall contain:

6 (a) The date of the election.

7 (b) A description of the boundaries of the proposed district.

8 (c) The name of the proposed district, which name shall contain
9 the words "Levee District."

10 (d) A statement that the first directors will be elected at that
11 election.

12 The county elections official shall publish the notice once a
13 week for at least two weeks prior to the formation election in one
14 newspaper printed and published in the county.

15 SEC. 192. Section 71031 of the Water Code is repealed.

16 SEC. 193. Section 71120 of the Water Code is amended to
17 read:

18 71120. A petition for the formation of a district, which may
19 consist of any number of separate instruments, shall be filed with
20 the county elections official.

21 SEC. 194. Section 71125 of the Water Code is amended to
22 read:

23 71125. The circulation of a formation petition shall be
24 commenced by the proponents within 30 days from the date of the
25 filing of the declaration of intention with the county elections
26 official. The petition shall be circulated and filed with the county
27 elections official within 90 days from the date of the filing of the
28 declaration of intention.

29 SEC. 195. Section 71126 of the Water Code is amended to
30 read:

31 71126. Within 30 days of the date of the filing of the formation
32 petition, the county elections official shall examine the petition
33 and determine whether it is signed by the requisite number of
34 voters. Upon request of the county elections official, the board of
35 supervisors shall authorize him or her to employ persons specially
36 for this purpose, in addition to the persons regularly employed in
37 his or her office, and shall provide for their compensation.

38 SEC. 196. Section 71127 of the Water Code is amended to
39 read:

1 71127. When the county elections official has completed the
2 examination of the formation petition, he or she shall attach to it
3 the certificate, properly dated, showing the result of the
4 examination.

5 SEC. 197. Section 71128 of the Water Code is amended to
6 read:

7 71128. If the county elections official finds from the
8 examination that the formation petition is signed by the requisite
9 number of voters residing within the boundaries of the proposed
10 district, and within the boundaries of each city included therein, he
11 or she shall certify that the petition is sufficient. If he or she finds
12 that it is not so signed, he or she shall certify that the petition is
13 insufficient.

14 SEC. 198. Section 71129 of the Water Code is amended to
15 read:

16 71129. If the county elections official certifies in the
17 certificate that the formation petition is insufficient, he or she shall
18 also certify therein to the number of voters required to make the
19 petition sufficient, and the petition may be amended by filing a
20 supplemental petition or petitions within 10 days from the date of
21 the certificate.

22 SEC. 199. Section 71130 of the Water Code is amended to
23 read:

24 71130. Within 30 days after the filing of any supplemental
25 petition or petitions, the county elections official shall examine
26 them and certify to the result of the examination as provided in
27 Sections 71126 to 71128, inclusive.

28 SEC. 200. Section 71132 of the Water Code is amended to
29 read:

30 71132. After the time for filing supplemental petitions has
31 expired and all supplemental petitions have been examined, if the
32 county elections official's certificate shows that the formation
33 petition is insufficient, the petition shall be filed with the board of
34 supervisors and kept as a public record, without prejudice to the
35 filing of a new petition.

36 SEC. 201. Section 71133 of the Water Code is amended to
37 read:

38 71133. If the county elections official's certificate shows that
39 the formation petition is sufficient, the county elections official
40 shall present the petition to the board of supervisors without delay.

1 SEC. 202. Section 71135 of the Water Code is repealed.

2 SEC. 203. Section 71461 of the Water Code is amended to
3 read:

4 71461. In counties in which districts are located, the county
5 elections official may have printed upon the official ballots
6 provided for voters at elections for directors a heading in the same
7 form as that provided by the Elections Code for nonpartisan
8 officers. The heading shall be marked “Municipal Water
9 District,” with a subheading “For a Member of the Board of
10 Directors, Division _____ (here inserting the number of the
11 division)—Vote for One,” and beneath which shall appear the
12 names of the candidates for the office of director for that division
13 of the district, with the appropriate blank space for the writing in
14 of the name of a candidate if desired by the voters, and with a
15 voting square placed opposite the space.

16 SEC. 204. Section 71463 of the Water Code is amended to
17 read:

18 71463. In precincts which lie only partly within a district, the
19 precinct board shall be supplied with two kinds of ballots by the
20 county elections official, one of which shall contain the matters set
21 forth in Section 71461 for the use of voters of the district, and the
22 other of which shall not contain the matters set forth in Section
23 71461 and shall be furnished to those voters of the precinct who
24 are not voters of the district.

25 SEC. 205. Section 4117 of the Welfare and Institutions Code
26 is amended to read:

27 4117. (a) Whenever a trial is had of any person charged with
28 escape or attempt to escape from a state hospital, whenever a
29 hearing is had on the return of a writ of habeas corpus prosecuted
30 by or on behalf of any person confined in a state hospital except
31 in a proceeding to which Section 5110 applies, whenever a hearing
32 is had on a petition under Section 1026.2, subdivision (b) of
33 Section 1026.5, Section 2972 of the Penal Code, Section 7361 of
34 this code, or former Section 6316.2 of this code for the release of
35 a person confined in a state hospital, and whenever a person
36 confined in a state hospital is tried for any crime committed
37 therein, the appropriate financial officer or other designated
38 official of the county in which the trial or hearing is had shall make
39 out a statement of all mental health treatment costs and shall make
40 out a separate statement of all nontreatment costs incurred by the

1 county for investigation and other preparation for the trial or
2 hearing, and the actual trial or hearing, all costs of maintaining
3 custody of the patient and transporting him or her to and from the
4 hospital, and costs of appeal, which statements shall be properly
5 certified by a judge of the superior court of that county and the
6 statement of mental health treatment costs shall be sent to the State
7 Department of Mental Health and the statement of all
8 nontreatment costs shall be sent to the Controller for approval.
9 After approval, the department shall cause the amount of mental
10 health treatment costs incurred on or after July 1, 1987, to be paid
11 to the county mental health director or his or her designee where
12 the trial or hearing was held out of the money appropriated for this
13 purpose by the Legislature. In addition, the Controller shall cause
14 the amount of all nontreatment costs incurred on and after July 1,
15 1987, to be paid out of the money appropriated by the Legislature,
16 to the county treasurer of the county where the trial or hearing was
17 had.

18 (b) Whenever a hearing is held pursuant to Section 1604, 1608,
19 or 1609 of the Penal Code, all transportation costs to and from a
20 state hospital or a facility designated by the community program
21 director during the hearing shall be paid by the Controller as
22 provided in this subdivision. The appropriate financial officer or
23 other designated official of the county in which a hearing is held
24 shall make out a statement of all transportation costs incurred by
25 the county, which statement shall be properly certified by a judge
26 of the superior court of that county and sent to the Controller for
27 approval. The Controller shall cause the amount of transportation
28 costs incurred on and after July 1, 1987, to be paid to the county
29 treasurer of the county where the hearing was had out of the money
30 appropriated by the Legislature.

31 As used in this subdivision the community program director is
32 the person designated pursuant to Section 1605 of the Penal Code.

33 SEC. 206. Section 4457 of the Welfare and Institutions Code
34 is amended to read:

35 4457. Whenever a trial is had of any person charged with
36 escape or attempt to escape from a state hospital, whenever a
37 hearing is had on the return of a writ of habeas corpus prosecuted
38 by or on behalf of any person confined in a state hospital except
39 in a proceeding to which Section 5110 applies, whenever a hearing
40 is had on a petition under Section 1026.2, subdivision (b) of

1 Section 1026.5, or subdivision (f) of Section 2960 of the Penal
2 Code, or Section 7361 of this code for the release of a person
3 confined in a state hospital, and whenever a person confined in a
4 state hospital is tried for any crime committed therein, the
5 appropriate financial officer or other designated official of the
6 county in which the trial or hearing is had shall make out a
7 statement of all costs incurred by the county for investigation and
8 other preparation for the trial or hearing, and the actual trial or
9 hearing, all costs of maintaining custody of the patient and
10 transporting him or her to and from the hospital, and costs of
11 appeal, which statement shall be properly certified by a judge of
12 the superior court of that county and sent to the Controller for
13 approval. After the court approval, the Controller shall cause the
14 amount of the costs incurred on and after July 1, 1987, to be paid
15 out of the money appropriated by the Legislature, to the county
16 treasurer of the county where the trial or hearing was had.

17 SEC. 207. Section 4804 of the Welfare and Institutions Code
18 is amended to read:

19 4804. Whenever a proceeding is held in a superior court under
20 the provisions of this chapter, involving a person who has been
21 placed in a state hospital located outside the county of residence
22 of the person, the provisions of this section shall apply. The
23 appropriate financial officer or other designated official of the
24 county in which the proceeding is held may make out a statement
25 of all of the costs incurred by the county for the investigation,
26 preparation, and conduct of the proceedings, and the costs of
27 appeal, if any. The statement may be certified by a judge of the
28 superior court of the county. The statement may then be sent to the
29 county of residence of the person, which shall reimburse the
30 county providing the services. If it is not possible to determine the
31 actual county of residence of the person, the statement may be sent
32 to the county in which the person was originally detained, which
33 shall reimburse the county providing the services.

34 SEC. 208. Section 5110 of the Welfare and Institutions Code
35 is amended to read:

36 5110. Whenever a proceeding is held in a superior court under
37 Article 5 (commencing with Section 5275) or Article 6
38 (commencing with Section 5300) of this chapter or Chapter 3
39 (commencing with Section 5350) of this part involving a person
40 who has been placed in a facility located outside the county of

1 residence of the person, the provisions of this section shall apply.
2 The appropriate financial officer or other designated official of the
3 county in which the proceeding is held shall make out a statement
4 of all of the costs incurred by the county for the investigation,
5 preparation, and conduct of the proceedings, and the costs of
6 appeal, if any. The statement shall be certified by a judge of the
7 superior court of the county. The statement shall then be sent to the
8 county of residence of the person, which shall reimburse the
9 county providing the services. If it is not possible to determine the
10 actual county of residence of the person, the statement shall be sent
11 to the county in which the person was originally detained, which
12 shall reimburse the county providing the services.

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